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OVER A WORLD-WIDE radio hook-up President Hoover, Prime Minister MacDonald, and Premier Hamaguchi have congratulated the people of their countries on the signing of the naval pact, ratifications of which have just been deposited in London. Already the wranglings and the failure of the London conference are largely forgotten, and the statesmen concerned think only of peace and concord. "Never again must a race in naval armaments be allowed to develop," says President Hoover, while our naval experts go right forward to get all they can of a huge building program—all within treaty limits and therefore entirely unobjectionable. On the very same day Premier Mussolini also talked peace, but peace resting on an armed Italy, which of course did not want and would never provoke war but must arm because others are arming. Signor Mussolini justifies his recent more bellicose speeches by declaring that in them he tore the mask off "hypocritical Europe, which babbles about peace at Geneva and prepares for war everywhere." There is too much truth in this characterization, but who is more responsible for the condition he deplores than Mussolini himself? The disarmament skies look dark, despite fine speeches, and the world waits for a courageous word from anyone in a position of authority who is farsighted enough to take any of the risks of peace.

RATHER SUDDENLY, but wholly in accordance with South American revolutionary formula, President Washington Luiz of Brazil has been deposed and a military junta has taken over the government of the republic. Getulio Vargas, defeated candidate in the presidential election last spring, has been named provisional president. Just at a time when the financial and diplomatic world had settled back to await the outcome of what was expected to be a long-protracted civil war the military supporters of Luiz in the capital deserted him and demanded his retirement. With these very necessary props of government swept out from under him, Luiz had nothing to do but capitulate. Some doubt was felt thereafter as to whether the various rebel groups, who were acting in concert but not under a unified command, would fall to fighting among themselves, but this doubt was dispelled by their agreeing to accept Vargas, the original revolutionary leader, as temporary chief of state. The military junta has issued the usual proclamation against tyranny and has made the expected promises of reform. In the words of its own proclamation, however, it has merely effected a "substitution in administrators." It remains to be seen whether the new administrators will be any more successful than their predecessors in remedying the economic ills of Brazil, which after all provided the rebels with their opportunity for a victorious revolution.

NEWS OF THE FALL OF LUIZ and the revolutionary triumph "struck the State Department with stunning force," according to Washington dispatches, and well it might. President Hoover and Secretary Stimson quite obviously and unnecessarily interfered in the Brazilian revolution on behalf of the Luiz government and their bad judgment may now cost the United States something in prestige, if not also in trade. Certainly the revolutionary government leaders cannot be expected to take very kindly to the Hoover Administration, which advertised to the world its opinion that the rebels were little better than bandits. Indeed, at the beginning of the revolution State Department officials dismissed the disturbances as the work of "bandit groups" in the state of Rio Grande do Sul. When the movement spread, Washington dropped the term "bandit," but nevertheless confirmed the impression that it really considered the rebels as outlaws by laying down an embargo on arms for the revolutionists while at the same time leaving the United States munitions market open to the government. Whatever may be the effect on American trade of this short-sighted action, the British have lost no time in trying to turn Washington's mistake to their own advantage. The British government has already indicated that it expects to give early recognition to the revolutionary regime, and it is stated that the Prince of Wales now plans to extend his "good-will-for-British-products" tour from the Argentine to Brazil.

THE KELLEY CHARGES regarding oil-shale lands published in the New York *World* are declared by the Department of Justice to have "no merit or substance." Assistant Attorney General Richardson has in the course of

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three weeks made what the Attorney General characterizes as "a thorough and painstaking inquiry." As a result, he declares that "utterly no basis can be found for the use of such extravagant expressions as . . . oil shale worth forty billions. . . . These expressions serve as a fair index of the composed reliability of Kelley's assertions." Concerning the detailed cases in which Mr. Kelley charges departmental laxity, Mr. Richardson finds the points at issue debatable, but declares that "in none of these cases does it appear that there was any misconduct or wrongdoing on the part of the officials of the Interior Department." On the contrary, he concludes that "the oil-shale lands of the United States are being vigorously and honestly administered by Secretary Wilbur and his department." Mr. Kelley, of course, denounces the report as "a ridiculous whitewash" which "reeks with misstatements and misrepresentations," and reiterates his charge of prejudice against Mr. Richardson. "In every instance . . . " he asserts, "as cannot be denied, the oil interests won. The public lost." It is unfortunate that Mr. Kelley's charges should have been made public in the midst of a political campaign, and that political requirements should have made it necessary for Secretary Wilbur's Cabinet associate to issue a sweeping report after a three weeks' examination of documents that Mr. Kelley declares would require months to digest properly. In view of statements already made by Senator Nye and other members of the Senate Committee on Public Lands, an extended investigation by that body appears likely, and, it seems to us, necessary.

THE AU SABLE VALLEY may not be so important to the Delaware and Hudson Railroad as are some other regions of New York served by that corporation, but it has just won the benefits of a fight for transportation service which may mean a good deal to other communities similarly situated. In September, 1929, railway service on the branch line of the Delaware and Hudson from Plattsburg to Au Sable Forks was discontinued, on the ground that it no longer paid. Thereupon Rockwell Kent, the artist, began, at his own expense and single-handed save for his lawyer, a campaign to have the service resumed. To the argument that passenger traffic on the line did not pay he opposed figures to show that freight traffic paid very well, and that the use of gas-electric engines instead of steam locomotives would cut operating costs to less than half. Mr. Kent had to fight the Public Service Commission of the State as well as the railway corporation; last April, for example, his complaint was dismissed by the commission's chief engineer for alleged lack of proof that service was needed, while the important point that the railway had acted without first obtaining commission approval was overlooked. Now, after a year and more of strenuous and public-spirited effort, Mr. Kent has won his case, and the Au Sable valley will have its railway service, by order of the commission, on and after November 3.

THE SHUT-IN OIL PRODUCTION of the world is no less than 2,383,000 barrels daily, according to the *Lamp,* organ of the Standard Oil Company of New Jersey. Of this amount 1,310,000 barrels are in the United States, 590,000 in Persia and Iraq, 260,000 in South America, and 200,000 in the Dutch East Indies. If the shut-in wells were set to flowing they would increase the world's output by an amount practically equal to the present actual production of the United States, which averaged 2,414,600 barrels a day during last August. The sharp mutations of the oil industry are indicated by a comparison of the present situation with that of 1924, when, as the *Lamp* says, "fear of an imminent shortage of raw materials sent every geologist into the field on the run to locate more oil." They were so successful that the problem in recent years has been to prevent profits from being drowned in oil. The control of production has become essential if the industry is to continue profitable operation, and it is surprising how great a degree of such control has been attained even under existing competitive conditions. As it stands, for every two barrels of oil that come out of the ground here one is kept shut in so as to avoid spoiling the market. We are face to face with a world-wide problem in oil. In this country we have discovered the impossibility of orderly and successful exploitation of our oil resources by small and weak competing concerns, but we have not yet learned the technique of successful control of great companies in the public interest, much less the organization of successful international cooperation.

DR. HERBERT B. DORAU, described by the New York *Telegram* as being "well known for his friendliness toward the public utilities," has been appointed head of the public-utilities department of New York University. At the time of his appointment he was assistant director of the Institute of Land Economics and Public Utilities, which, according to evidence presented to the Federal Trade Commission at Washington, recently received $12,000 from the National Electric Light Association for "research" on the subject of municipal ownership. Moreover, Dr. Dorau's appointment was announced after university officials had virtually agreed that Dr. John Bauer, an outspoken critic of the power interests, was to be given the post. Thus far the university authorities have refused to divulge the reasons for the sudden change. One of the officials whose approval of the Dorau appointment was necessary is Dean John T. Madden of the School of Commerce. He said he regarded the matter as "personal" and could not discuss it. This is the same Madden, the *Telegram* points out, who "was included among the eighteen college professors who had received $47,000 from the National Electric Light Association." Can it be that the power and utilities interests have learned nothing from the unwelcome publicity they received as the result of the exposure of their efforts to influence leading educators by subsidies and other means? Or do they believe that public opinion is impotent and therefore not worth their consideration?

PREDICTIONS of an impending parliamentary defeat for Labor and a new general election in Great Britain within a few weeks are again being circulated. This time reports have it that the crisis will arise from the Government's contemplated move to repeal the Trade Disputes Act, which a Conservative Parliament adopted after the miners' walkout and general strike of 1925-26. The act in question forbids trade unions to engage in a sympathetic strike "calculated to coerce the government," and makes unions liable for damages to employers resulting from such a strike. Ramsay MacDonald is said to be determined to stand or fall

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on this issue. At first glance it would appear that a test vote on this question would almost certainly result in a defeat for Labor. On the other hand, the opposition parties are anxious not to precipitate a general election while the Indian Round Table Conference, which begins its meetings on November 12, is in session. Furthermore, the Conservatives, who would probably win the election, are not particularly eager to take over the government at this time. There are too many unsolved and perhaps unsolvable problems lying around, chiefly unemployment and the industrial slump. The coming winter may be one of the most difficult England has had for many decades. A politically wise Conservative Party might swallow repeal of the Trade Disputes Act for a while and thus defer the difficulties and expense of an election at least until spring.

ARISTIDE BRIAND in France is being subjected to bitter attacks from the Right that may lead to his retirement from active politics. The test of strength between Briand and the hot-blooded nationalists of the Right will probably come during the session of Parliament opening November 4. His enemies contend that the Foreign Minister's policy of conciliation and rapprochement with Germany has been directly responsible for the growth in the former enemy country of militant sentiment for the revision of the peace treaties. They term his policy one of "abandon." At least one of the newspapers opposed to Briand has gone so far as to warn him that unless he changes his tactics, the same fate that befell the Socialist leader, Jaurès, at the opening of the World War may be awaiting him. Thus far Premier Tardieu has been outwardly steadfast in his support of the Foreign Minister, but there is already talk of bringing Poincaré back into power in order to strengthen the proponents of a narrowly nationalistic policy and also, incidentally, to get rid of Briand. We should regret to see Briand go. Despite his several shortcomings, he has been a decided influence for peace and confidence in Europe. There is still some hope that he may be retained. The latest local elections in France have resulted in victories for candidates opposed to the Right nationalists. If this accurately reflects general sentiment in France, his enemies may think twice before they actually attempt to discard Briand.

NORWAY IS THE LATEST of the European countries to swing to the Right in recent elections or in the changing of governments. Germany began the movement with the downfall of Chancellor Müller's Coalition Government, which was succeeded by a definitely conservative Cabinet, and with the spectacular rise of the fascists in the September elections. Austria followed, the moderate Chancellor Schober being replaced by Karl Vaugoin of the extreme Right-wing Clerical Party. Then came Finland, where the moderate parties combined to help the fascists elect a Parliament that is pledged to outlaw the Communist and, in effect, the Left Socialist parties. Now Norway has joined in the movement to the Right. In the general elections to Parliament the Communists lost their three seats, the Laborites lost twelve, the Moderates gained three, and the Conservative Party added twelve to its thirty-five, so that with the Agrarians the Conservatives now control the national assembly. As Norway has been but little affected by the general international depression, economic conditions cannot be said to be responsible for this drift toward reaction, as has been the case in Germany and Finland. Fear of the ambitious Labor program of state socialism may have been the primary cause, but whatever the immediate factor responsible there, it is clear that not only in Norway but throughout Europe a period of nationalistic political reaction has begun to be felt.

THE BRITISH FOREIGN OFFICE has made what, from an official source, sounds like a surprisingly sensible suggestion. It is that henceforth visiting officials feel no obligation to lay a wreath at the tomb of the Unknown Warrior or at other war memorials. The proposal was made first as a gesture "toward the eradication of the memories of the Great War," but this somewhat unfortunate wording was later modified, after protests from various sources, to be read as the elimination of meaningless ceremonies which might tend to keep alive war animosities while at the same time doing nothing to strengthen veneration or grief for the millions of men who died. Nobody wants them to be forgotten; they ought to be remembered always, as a lesson in "war costs" and a warning to future generations. But the business of laying a wreath at the grave of the unknown soldier is in danger of becoming a mere perfunctory gesture which every public man makes when he wants his picture in the rotogravure section of the Sunday newspapers. In so far as it is merely such a gesture, the British government should be heartily supported in criticism of it. If the unknown soldier could arise out of his marble tomb and speak his mind, it is by no means unlikely that he would say he wanted none of these empty honors but rather the assurance that future generations would not have to imitate his sacrifice. It is well to remember the dead—in order that they shall not have died in vain.

WALT WHITMAN, with not a vote to spare, has just managed this year to squeeze into the Hall of Fame of New York University. The poet, therefore, whose works were not seen on the parlor tables or in the hands of the ladies of the eighties and nineties, and who is still regarded as salacious by many thousands of his countrymen, has at last received this tardy recognition, whatever it is worth. To schoolboys he is known for one third-rate poem "O Captain! my Captain"; to the mass of American adults for "Leaves of Grass," which is still generally considered sexually bold and outspoken; and to the fortunate ones for "When Lilacs Last in the Dooryard Bloomed" and "Out of the Cradle Endlessly Rocking," two of the finest poems ever written by an American poet, and among the finest in the English language. With these alone as his monument, Walt Whitman would hardly need a bust in addition, but it is pleasant to know that his countrymen have honored themselves by honoring him. Along with his name this year go those of James McNeill Whistler, James Monroe, and Matthew Fontaine Maury. These alone, though fifteen might have been admitted, received the necessary number of votes. Thoreau, Samuel Adams, Thomas Paine, Henry George, Nathan Hale, Noah Webster are among those who wait just without the gates. Eventually they, too, will be included, since time and distance make heroes of all men. And such controversies as raged around them will, like the controversies about Whitman, seem unimportant and trivial.

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An Open Letter to Arthur Woods

MY DEAR MR. WOODS: We have noted with great satisfaction your selection to head the work of the federal government in behalf of the unemployed. In appointing you, President Hoover has fulfilled a long-neglected duty. Your record is a sufficient guaranty that the work will be prosecuted with vigor and intelligence.

During the first months of his Administration, with industry booming and the stock market rioting, the President made no attempt to curb the speculative mania that led to the October crash. When that financial crash came, he refused to recognize its inevitable industrial consequences, and declined to summon men like yourself to lay plans for meeting the unemployment then clearly in prospect. Instead, through a series of conferences described at length in the newspapers, he gave currency to the notion that recession could be avoided if only industrial and government leaders would make large enough plans and promises for 1930. As depression deepened and unemployment increased, his Administration gave out a long series of statements systematically minimizing the actual number of men out of work. This action was extended to the very results of the census itself. When further denial of evident facts became impossible, responsibility was placed on "world-wide depression," and only today, a full year late, under pressure of a political campaign, has the President by appointing you taken a real step toward meeting the responsibility of the government to its millions of unemployed citizens.

Your task, it is reported, you regard as "a race against human misery." Thanks to the President's delay, it is true that your work will necessarily be of an improvised character; but it will not necessarily on that account fail to embody the lessons of experience and science, or to contribute to a permanent solution of the problem of unemployment. We respectfully address to you certain questions, on the answers to which, we believe, depends in large part the permanent value of your work.

Do you share the apparent view of the President that your work is to distinguish somehow between those who are and those who are not "in honest difficulties"? Is this a glorified job of giving charity to "the worthy poor," or is it an effort to mitigate, as far as possible, an injury and injustice done to millions of our citizens by the bad working of an economic system for which they are not individually responsible? The difference between these two approaches to the problem seems to us highly important.

If you agree with us that unemployment distress is due essentially to social causes and not to individual ill-doing, will you use this extraordinary opportunity to help create the necessary machinery of federal-State cooperation so that we may henceforth know at all times the elementary facts of employment and unemployment? Thus far the Administration has blocked even the modest measure of cooperation that would be provided under Senator Wagner's bills.

On this basis, will you at once take the lead in instituting a real and nation-wide system of employment exchanges, again with federal-State-local cooperation? This basic task is complex and difficult in itself, and will require a long period for adequate development. The country has waited vainly for the initiation of the work during all the dozen years since we jettisoned the Federal Employment Service hastily set up during the war. Will you not take the bold step of bringing it into existence now when it is so easy to see the necessity for it?

Will you bring squarely forward for full public discussion the burning question of unemployment insurance? You are reported as contemplating no federal financial relief comparable to the "dole." Will you help the American people to get in mind the difference between a system of real unemployment insurance and the system of modified poor relief known as the dole? Will you help them to understand that real insurance could be used to prevent a considerable amount of unnecessary unemployment and to relieve much that is unavoidable under our present economic organization? Will you help them, too, honestly to face the question what they want done if and when unemployment passes the insurable limits? If not the much-criticized "dole," then what? Would Americans favor starvation, or charity, or revolution? Will you not help focus public attention on this question?

All these questions lead back to one yet greater and more difficult. Will you now offer the country genuine leadership in the prodigious task of organizing for the permanent stabilization of industry and employment? The President has talked about it, but has shown no real conception of what it involves. We do not refer to the many emergency measures that will necessarily absorb much of your time. We do not refer to the long-range planning of public works, whose possibilities, considerable though they are, have been so much exaggerated, or to the efforts at expanding private construction in dull times, or even to the notable experiments of certain individual employers in stabilizing employment in their own plants. We do mean the comprehensive organization of entire industries. We made feeble beginnings in food and coal and metals during the World War, and in the rush for profits promptly scrapped them after the war. We shall have to face this problem in all our great industries, and its solution will not be found simply in the uncontrolled workings of the profit system. Such organization is the supreme task of economic statesmanship.

You will be overwhelmed by a multitude of pressing duties, all calling for immediate attention. To discharge them well, as we are confident you will do, will mean to lessen the immediate distress of the unemployed, which threatens to attain staggering proportions during the winter now upon us. To perform them always with a view to developing at the same time the machinery and organization requisite to prevent the recurrence of such conditions in the future, and to use the present depression as an opportunity for directing popular thinking to the necessity and possibility of such measures, will be to make an almost incalculable contribution to the happiness and well-being of the American people. In the respectful hope that you may choose the larger way, we address to you these inquiries.

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Palestine

WHEN, in 1917, Lord Balfour pledged the British government to "the establishment in Palestine of a national home for the Jewish people," it seemed almost too good to be true. It was too good to be true. It was not true. The pledge, like the conflicting pledge of Constantinople to the Russians, of Syria to the French, of "rectifications" to the Italians, of independence for the Arabs, of self-determination to everybody, arose from no sudden conversion to Zionism; it was a product of war-time distress. Britain needed the help of the Jews and was ready to promise almost anybody almost anything.

Now Britain finds her conflicting promises embarrassing, and the political strategists of the British Empire, balancing Jewish public opinion in the Western world against Arab opinion in the highly inflammable and intensely strategic countries about the Suez Canal and the Persian Gulf, have decided that on the whole it will be safer to let down the Jews than further to inflame the Moslems.

The decision, of course, is veiled in noble phrases, as is the custom of governments. The decisions of the past, which faced in the other direction, were equally hedged about with qualifying words to which the British government may point as justification for its present action. But only a legalist would do so. For in 1922 Britain, through Winston Churchill, then Colonial Secretary, was explicit that the Jewish people "should know that it is in Palestine as of right and not on sufferance," and added that "for the fulfilment of this policy it is necessary that the Jewish community in Palestine should be able to increase its numbers by immigration." The terms of the mandate granted Britain by the League of Nations (we sometimes forget that technically Britain is in Palestine as agent of the League) also provide that Britain shall "facilitate Jewish immigration under suitable conditions and encourage in cooperation with the Jewish Agency close settlement by Jews upon the land." Now Britain finds no suitable conditions for Jewish immigration; the suspension of Jewish immigration ordered last May is confirmed, and the government announces that "there remains no margin of land available for agricultural settlements by new immigrants."

As a result, Dr. Weizmann, Lord Melchett, Felix Warburg, and the other Jewish leaders who have been urging their insistent brethren of the Eastern countries to have faith in Britain have resigned their posts in the Jewish Agency. They feel that the decision of the British Labor Government is a slap in their faces, doubly sharp because of the manner of its announcement. The Zionists had a right, under the terms of the mandate, to expect to be consulted before any such important decision was proclaimed. In their conversations with British officialdom they thought they had been given, as late as last summer, a precisely opposite expectation. Mr. Warburg, in unusually direct terms, accuses Lord Passfield of deceiving them.

Mr. Baldwin and other Tory leaders have expressed their indignation at the abandonment of the Balfour policy. But the moral of the incident would seem to be: Put not your trust in empire. The Tories may be moved by electoral considerations; they are probably even more moved by fear that concessions to Arabs in Palestine may strengthen Eastern nationalism elsewhere, weakening the Empire in Egypt, in the lands about the Persian Gulf, and in India. They differ from the Labor Government in their judgment of the profit to the British Empire—that is all. It would be unrealistic, in 1930, to expect the British Empire, under Laborite, Liberal, or Tory, long to defend the Jewish outposts in Palestine for merely sentimental reasons.

This is not Dr. Weizmann's first resignation. At Berlin in August, after he had stated frankly his conviction that there could never be a Jewish state in Palestine and advocated something like the Magnes-Bergmann plan of a frank acceptance of bi-nationalism, he resigned. The opposition was too intense. Those who felt then that his goal was too modest, his faith in England too great, must now feel justified. To many Jews the Passfield statement will seem a complete justification of the principles of the so-called revisionists who insist that Zionists can be content with nothing less than a Jewish majority, even if forced, "even though the native inhabitants are opposed."

It seems to us rather that this bitter disillusionment proves the long vision and clear statesmanship of Dr. Judah Magnes, rector of the Hebrew University in Jerusalem. Dr. Magnes was bitterly attacked because he insisted that the Jewish national home must not rest upon British bayonets, but must be established in cooperation with the Arabs, even though their hands were red with Jewish blood. The event has proved that British bayonets are frail reeds for Jewish support, and Palestine lies in the heart of an Arab world.

Doctor and Patient

THE New York County Medical Association has just taken exception to a clinic maintained by two Washington Heights doctors who were so rash as to issue a booklet describing the clinic's services and announcing a fixed fee for each. According to the association, charges which are being preferred against the physicians in question in no way reflect on their professional integrity, but were made simply on the question of the propriety of charging fixed fees for professional services. This New York situation arises at about the time of the trial in Chicago of Dr. Malcolm L. Harris, formerly president of the American Medical Association, because the Chicago Policlinic Medical Center, of which he is surgeon-in-chief and president of the board of trustees, has been guilty of advertising. Again there is no criticism of the clinic as such, but the complaint is merely that it goes contrary to the "ethics of the medical profession."

Since the whole organization and distribution of medical services is being so widely discussed at present, the matter becomes more than a question of professional ethics, and involves the public at large. The cost of medical attention has risen sharply in the last few decades, as has also perhaps the quality of treatment offered. Where one formerly went to a general practitioner and obtained, for two dollars, advice of varying degrees of usefulness, one goes now perforce to any of twenty specialists who, while he ministers meticulously and expertly to whatever section of one's anat-

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omy may require his attention, charges correspondingly for the limitation of his general experience and at the same time the vast increase of his special knowledge. The patient who is treated has only praise for any relief to a suffering throat or kidney or eye. But he is not so happy about the sufferings of his pocket-book; and when he must go to a hospital he is far less happy. If he is rich and pays top fees he feels himself more or less bilked by the impressive Park Avenue surgeon; if he belongs to the middle class he pays fees too large for his purse as well as he is able; if he goes to "free" clinics—where he is often expected to pay what little he can—the inevitably wholesale nature of the treatment or its administration by the comparatively unskilled assistants of abler doctors reduces its effectiveness, and the very poor suffer accordingly.

It is no wonder, then, that the public feels there is something radically wrong with the practice of medicine and turns gratefully to clinics where, for a modest fixed fee, medical service of a supposedly high order can be obtained. Nor is the same public troubled by the ethical problem of medical advertising. Indeed, it is worth asking whether this particular aspect of professional ethics did not arise out of a simple matter of business practice, and was not sanctified when its usefulness to the profession as a whole became so apparent. There is a firm conviction in the mind of the average doctor that a medical man who advertises his wares is a quack. But to the patient who is made aware of a properly managed clinic by the use of an unpretentious announcement, this distrust of advertising seems meaningless. In the medical profession, as in many another, there is grievous overcrowding. Many hours of hard work a day for the average doctor return him no more than a modest living. Even the great surgeons, the successful specialists, who are consulted as a last resort in a difficult case, do not always command the highest fees. Strange afflictions have a tendency to visit the penniless as well as the rich, and the doctor, by honorable tradition and inclination, does not refuse his services because there will be no fee. The medical profession as a whole, only too ruefully cognizant of these facts, stringently restricts the admission of candidates to medical schools, and governs as sharply the conduct of practicing members in good standing.

Under the present system of individualistic, unorganized medical practice it is not surprising that such regulation exists, however unjust it may be to the long-suffering patient. The remedy, as with most of our industrial ills, lies in the reorganization of the industry. Perhaps a state or otherwise centrally controlled system of medicine is the answer; perhaps some relief may be found in a system of medical guilds, along the lines of an article by Evans Clark in a recent number of the *Atlantic Monthly*, whereby a group of specialists would combine to give, for a fixed annual fee, such medical services, including surgery and hospitalization, as a patient-member might require. Meanwhile the public will accept what services it can get at reduced fees and pay what it must for the rest, but the doctors must not complain if grumblings about the system continue, or if they have difficulty in explaining their unyielding opposition to what must seem to the man in the street a workable solution —that is, a clinic where he is not a charity patient but can get what medical attention he needs for something like what he can pay.

Will Professors Do It?

ACADEMIC freedom might soon become something better than a phrase to conjure with if the proposal put forward by L. L. Thurstone, professor of psychology in the University of Chicago, were adopted and sedulously applied. Professor Thurstone suggests that the American Association of University Professors should prepare a list of accredited institutions comprising all those of collegiate or university rank whose academic standing, measured by the professional competence of the faculty, the quality of instruction, and recognition of freedom in scholarly or scientific inquiry, is such as to entitle members of the staff to membership in the association. Any institution which, after investigation, was found no longer to conform to the standard would be dropped from the list, but without thereby terminating individual membership in the association. Any member, however, who accepted a position in a non-accredited institution would automatically forfeit his association membership. Professional or scientific societies would be asked to cooperate by dropping from their own lists any member who accepted a teaching position in an institution which the association did not approve. An institution which improperly dismissed a teacher would not be restored to the accredited list until the teacher had been offered full reinstatement, with salary from the date of dismissal.

This drastic proposal has some real merits. As Professor Thurstone points out, a "direct frontal attack" on the legal position of trustees would be futile because the legal control of the institution is undoubtedly in their hands, and they cannot be expected to submit their action to faculty veto. Where the pressure would come, especially in the matter of freedom of teaching or inquiry which is Professor Thurstone's special concern, is at the point of the standing of the institution in the academic world. If a governing board, deferential as most such bodies are to donors, legislatures, or public ignorance or prejudice, knew that if a professor were dismissed or crowded out because of his unpopular opinions or utterances no one whom either the association or a professional or scientific society would recognize could be found to take his place, and that the institution itself would be stricken from the association's list of institutions of acceptable academic standing, it would be likely to think twice before courting that odium. At the same time the ethics of the teaching profession would be stiffened by the withdrawal of recognition from any teacher who accepted an appointment whose previous holder had been improperly discharged.

It must be admitted that the association, zealous as it has been in investigating infringements of academic freedom, has actually done very little to check the evil. Its reports have been in the main judicious and convincing, but they have come late, and dismissed professors are rarely restored. What is needed is not merely a continuance of post mortem publicity but a united front by members of the teaching and scientific professions in defense of free inquiry and free speech. There may be objections to turning the association into a trade union, but there is no reason why it should not do something really effective to defend its members.

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Are Wages Going Down?

By ALFRED L. BERNHEIM

IN 1921, when the United States was in the midst of its last preceding major depression, the rallying cry of the reconstructionists was "Back to Normalcy." The restoration of good times was to come about by the deflation of what was deemed to be an abnormally high level of most price series, especially the price of labor. Wages, the argument ran, had to be cut in order that production costs might be decreased. Wholesale and retail prices would then tumble merrily after, and once we had taken our medicine in the form of losses resulting from the liquidation of high-cost merchandise in the warehouses and on the shelves, we should again be in a position for a new advance on prosperity. Our industrialists and financiers and their economic advisers were in accord, with few dissenting voices, on this theory of reconstruction and were committed to its application in practice. By way of illustration, there were only two men in President Harding's unemployment conference—Samuel Gompers and Roy Dickinson—who signed a minority report protesting against wage reductions as a remedy for poor business.

Our present major depression finds us pinning our hopes to a radically different economic philosophy. There is no thought that there was anything abnormal in the conditions that prevailed some fifteen months ago, and consequently there is no demand for a return to normality. There is no admission that prices, excepting security prices and perhaps urban real estate, were at an inflated level in the summer of 1929, and this in the face of the fact that the rather sharp declines that have since occurred in many agricultural staples, raw materials, semi-finished products, and even consumers' goods indicate the contrary. There is a denial of the existence of unduly large inventories, though data at hand can scarcely be said to substantiate this in respect to many important commodities such as petroleum, copper, or automobiles. Above all, there is wide acceptance of the theory that the revival of industry will best be furthered by maintaining purchasing power. Since wages form the main stream of purchasing power, it follows that proponents of this theory are opposed to wage reductions.

In the course of the Chautauqua held in Washington in November, 1929, under the personal direction of President Hoover, this theory was first publicly proclaimed, and ever since it has been echoed by the spokesmen of business, finance, labor, and other groups. Again there are dissenting voices, but though they have waxed appreciably in volume during recent weeks and threaten to grow more vociferous from day to day, they are still a decided minority. Undoubtedly the general attitude toward wages in relation to the course of the business cycle has undergone a marked change since 1921. Labor is being courted as never before—not, however, in its own right as worker and producer, but in its capacity as the most important collective customer of industry. This is the natural outgrowth of our trend toward mass production, which demands corresponding mass consumption for profitable operation.

Is our practice, however, entirely consistent with our theory? Are wages actually holding at their mid-1929 level? Though comprehensive data on the subject are lacking, there is enough information to warrant the statement that the wage truce of last November has by no means been universally observed.

According to the Bureau of Labor Statistics, 551 establishments reported wage decreases affecting 86,117 employees between October 15, 1929, and August 15, 1930. Most of the decreases ranged from 5 to 10 per cent. In one case there was a slash of 38 per cent; in several, of between 12 and 20 per cent. At first glance one gets the impression that the number of wage reductions is inconsequentially small in relation to the total number of gainfully employed. Perhaps, one reasons, there has been a technical violation of the truce, but the spirit of the agreement appears to have been respected. We must, however, take into consideration the limitations of the bureau's compilation. In the first place, it covers only manufacturing industries, a field which accounts for approximately but one-fifth of the gainfully employed. All the copper companies have reduced wages—this does not figure in the bureau's total. The brokerage houses have cut salaries—this does not figure in the total. According to the Bureau of Agricultural Economics, farm wages declined 13 per cent between July, 1929, and July, 1930—but farm labor is not included in the survey of the Bureau of Labor Statistics. In the second place, even within the manufacturing industries the bureau receives reports of wage changes from only about 13,500 establishments employing about 3,000,000 workers—roughly, only 7 per cent of the total number of establishments and 30 per cent of the total number of workers in the group. In the third place, the bureau's compilation is two months behind, and the two months for which there are as yet no figures constituted probably the worst sixty-day period of the depression to date.

To estimate from the data now available the number of wage reductions that have taken place during the past year and the number of workers affected would be nothing better than guesswork. It is, however, a pretty safe guess that the number of workers whose wages have been cut runs into seven digits, with the magnitude of the left-hand digit unknown. It is true that in a few of our largest industries there have been either no official wage cuts at all, as far as is known, or only a negligible number. It is true, also, that even in most of the industries where cuts have been prevalent, the number of establishments that have maintained rates exceeds the number that have reduced them. In spite of these facts, there is no validity to the claim that employers have, as a whole, observed the wage truce. There have been too many cuts—cuts too widely diversified geographically and industrially and affecting too many workers—to make such a position tenable.

While most of the wage cuts have taken place in the smaller establishments, nevertheless important employers are by no means unrepresented in the catalogue. Thus, for example, wages of at least some of the employees (manual or clerical) have been lowered by the following corporations: Riverside and Dan River Cotton Mills, International Har-

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vester Company, Fisher Body Company (a subsidiary of General Motors), Chrysler Corporation, National Cash Register Company, Gotham Silk Hosiery Company, McKeesport Coal and Coke Company, Scoville Manufacturing Company, Firestone Tire and Rubber Company, Goodyear Tire and Rubber Company, Westinghouse Electric and Manufacturing Company. These are just a few conspicuous examples of big names, and they do not include any of the copper companies —Anaconda and the others—all of which have lowered wages on a scale corresponding to the decline in the price of copper; or any of the steel or tin mills where similar sliding-scale agreements are in effect in respect to some groups of workers. It may be argued that an employer has the right, even in view of the wage truce, to cut wage scales where there is an existing agreement providing for automatic reductions (or increases) under certain specified circumstances. Granted the right, the purpose of the wage truce, after all, was to prevent a depression and restore prosperity by maintaining the purchasing power of wage-earners; and whether a worker's wage is cut in accordance with a previously formulated agreement or whether it is cut in the absence of such an agreement does not affect the reality of his decreased income and decreased purchasing power.

There is another aspect of the wage situation which is perhaps even more important than the one we have been considering, though so intangible as altogether to elude quantitative measurement. The level of wage rates is being forced down slowly and persistently through two devices which, narrowly interpreted, do not count as wage reductions, but which are reductions in as real a sense as the official lowering of established scales. One of these is firing followed by rehiring at lower rates. Whenever there is a range in scale for any given occupation, it is a simple matter to fire those workers who are near the top of the pay range and then to replace them with beginners, who, of course, start at the bottom. Thus, if a given job pays 80 cents to $1 an hour, the average pay for all the workers on this job can readily be brought down from, say, 95 to 85 cents. Here is a cut of more than 10 per cent which is not rated as a cut at all. The wage truce has not been violated, for the manufacturer's scale is still, as it was before, 80 cents to $1. When there are millions hungry for work, it is not difficult to find new men at the beginners' scale who are as efficient as the older, more experienced employees. In fact, by firing and replacing, a manufacturer is generally able not only to reduce his pay roll but also to increase the efficiency of his plant. He gets rid of the superannuated (those of forty and over), the "trouble-makers," the less skilful, and other undesirables.

There are many variations of this scheme of reducing pay rolls, but all have the same effect and all are heartily to be condemned. For example, the Westinghouse Electric and Manufacturing Company is reported to have made extensive substitutions of women for men in some departments, at about one-third less pay. This neat trick not only helps the family economize and saves the local retailers the trouble of selling too much merchandise, but it also gives the men a splendid opportunity to learn cooking, washing, and nursing while the women are at work.

If it is an economic necessity for an establishment to reduce wage scales, and if the reduction will benefit both the employer and his employees by bringing in more work and thereby affording more and steadier employment, then it is far better that the reduction be made aboveboard than that it be achieved by "nibbling from within." Everyone in touch with the labor market knows that the practice is widespread; no one knows its extent. It would seem in order for some agency to investigate the practice and expose it in detail.

The other device for cutting wages within the truce consists in making secret, individual wage contracts below the established scale. Several union officials have admitted to me that this practice is prevalent witnin their jurisdictions and that they are powerless to stop it, even when they can obtain conclusive evidence of its existence. The pressure for work is so great that if Mr. Employer offers John Smith a job at $5 a day, "take it or leave it," John will usually take it, though he may know that there is a scale of twice that amount established by sacred contract between his union and his boss. Here is a bit of unashamed documentary evidence quoted from the *American Building Contractor* for October, 1930, to the effect that the practice prevails in the construction industry:

> The effect of unemployment is now beginning to be reflected in current wages, and the month's report indicates that while little or no changes are being made in the official wage scales, many tradesmen are working for considerably less than the official scale.

The construction industry was, I believe, represented at the conference which promulgated the wage truce.

Conceding that wage reductions have not been as extensive or as sharp in this depression as in some former ones, and that there is a crystallized public opinion—employers included—against lowering wages, still it is an absurd bit of romancing to assert that wages have been maintained at their 1930 peak, or that the Hoover-inspired wage truce has been kept even substantially inviolate.

So much for what has happened in the past year. Let us speculate for a moment over what is likely to happen in the immediate future. As already suggested, those who question the wisdom and feasibility of maintaining wages during a serious and prolonged business depression, though still in the minority as far as we can tell from public utterances, are constantly becoming bolder and more articulate. Repeated failure of the prophets of revival to make good their predictions has naturally fostered the growth of skepticism toward the prophets' doctrines. A Middle Western banker, John W. Barton, speaking before the American Bankers Association at its recent Cleveland convention, voiced his opinion that our standard of living is too high, which, of course, implies that our wages are too high. I assume that Mr. Barton did not mean that standards are too high from the point of view of social welfare, but only, in his opinion, from that of the economic condition of the United States. Speaking before the same group of bankers a few days later, President Hoover expressed his emphatic dissent from the thesis enunciated by Mr. Barton. It is known that the President changed his prepared speech in order to include a refutation of the heretical doctrine, indicating the Administration's fear that this doctrine might otherwise receive wide acceptance.

It is too bad that we may not boil our heretics alive in oil, for even Presidential rebukes seem to be ineffective in stopping their tongues. Less than two weeks after Mr. Hoover declared that "any retreat from our American philosophy of constantly increasing standards of living be-

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comes a retreat into perpetual unemployment and the acceptance of a cesspool of poverty for some large part of our people," Governor Eugene R. Black of the Atlanta Federal Reserve Bank again urged, though from a different slant, the necessity of a retreat from high living standards.

These are only two of the more conspicuous instances of public expressions of skepticism toward the high-wage theory. Whenever business men gather in convention, someone injects this note of doubt, and if the speaker is not cheered till the rafters ring, neither is he hissed by an indignant audience. The press, in particular the trade and financial papers, is no longer giving unqualified approval to the wage philosophy of the new era. If it seldom urges a general downward revision, it is beginning to question more and more whether we can complete our economic house-cleaning without it.

The facts reflect the trend of sentiment. The reports of the Bureau of Labor Statistics on wage reductions show that, with only two exceptions, each month between October, 1929, and August, 1930, witnessed a greater number of wage reductions and a greater number of workers affected than did the preceding month. I am afraid that unless unmistakable signs—not mere prophecies—of an upward business trend become manifest very promptly, the coming months will witness extensive wage reductions throughout business and industry. Difficult as it is to prevent the inception of a wage-cutting movement in an uncontrolled economic order, the difficulty is as nothing compared with that of checking the movement, once it has started, before the curve of business and prices again changes its direction. A wage reduction upsets the competitive balance within and between industries, and the pressure to restore this balance leads to waves of further reductions. The balance, as I have tried to show, has already been appreciably upset. If my prediction proves correct, then only a far more drastic reduction in retail prices than has as yet taken place will prevent a retreat from the relatively high standard of living enjoyed by the wage-earning class prior to the beginning of the present depression.

Wheat Prices and Wheat Pools

By JAMES E. BOYLE

THE Canadian wheat pool, a cooperative organization of 140,000 wheat farmers of the prairie provinces, is facing the crisis of its life, brought on by the severe drop in wheat prices. For five years the central pool office at Winnipeg managed to carry on and find markets throughout the world at prices which the farmers considered satisfactory. Then suddenly, with Canada's small 1929 harvest, began an unexpected but continuous and heartbreaking decline in wheat prices. The pool carried out its program of "orderly marketing," as it construes the term. But now, with the biggest carry-over of wheat on record and a new crop on hand, large in volume and high in quality, the pool is on trial for its life. Can it survive?

During its first five years the pool made a first payment to the farmers, called the initial payment, followed by a second or interim payment, and finally, a third payment after the wind-up of the crop year. On the 1929 crop it made an initial payment of one dollar a bushel. Owing to the price decline this proved to be also the final payment.

Since the pool, like the ordinary grain dealer, advances money for the wheat before it sells, it has to borrow money from the banks to make advances to the farmer. The pool's credit became impaired on the 1929 crop in this manner: Of the one dollar advanced, eighty-five cents was borrowed from the banks on grain paper. Wheat prices declined till the grain paper was no longer adequate security for the loans. The pool is strong enough politically to dominate politics and politicians in the three prairie provinces; so, together with the banks, it went to the three prairie governments and got a guaranty of the grain-paper loans for all grain marketed up to the end of the 1929 crop year, but no longer.

The credit problem and the low wheat price make it difficult for the pool to finance the wheat movement now on the way in large volume, and the banks in the end have dictated their own terms. The initial payment on the 1930 crop was fixed at sixty cents a bushel, basis Fort William, for Number 1 northern wheat, though an initial payment of seventy cents had been announced some weeks earlier. The farmer in Saskatchewan, the principal wheat province, must subtract freight charges of twenty cents a bushel from this payment. Thus he receives forty cents a bushel cash for the best grade, with the promise of more later if the price goes up. But if last year's experience is repeated, he will get no further payment.

Every pool farmer is bound to his organization by a legal five-year contract. If he breaks this contract he can be sued and compelled to pay twenty-five cents a bushel as liquidated damages, and also the costs of the litigation. If he threatens to break away from the pool, an injunction can be served on him enjoining specific performance of his contract. The system is legally perfect, for the courts uniformly uphold these contracts; but marketing is more an economic than a legal problem. In a farmer's eyes the touchstone is: What price do I get for my commodity?

In normal years about 10 per cent of the pool members bootleg their wheat. They need the money, or a better price seems to be offered, or some other excuse serves them. In the present crisis—and the pool itself frankly says it is a crisis—bootlegging on a large scale has begun. In one community seventy farmers were haled into court. Hundreds of farmers have had injunctions served on them. If this bootlegging becomes a stampede, it will mean the end of the pool as now organized. The temptation to bootleg is especially great now because the regular grain dealers can actually pay twenty to thirty cents a bushel more than the pool's initial payment. In this case the farmer has parted with his wheat and has his money in full. If he sells through the pool he will get more money later if the price goes up. The pool farmer, therefore, who believes strongly in higher prices and can wait for his money will stay by the pool; the one who is pessimistic about the price outlook and

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who needs the money now will be strongly tempted to bootleg his wheat.

About one-half the wheat farmers are pool members; half are non-pool. Last fall the non-pool farmer sold his wheat direct from the thresher for $1.40 or $1.50 a bushel; the pool farmer got only $1 for his. Farmers are realists, and it is hard for the pool to combat such evidence as this. The pool realizes fully that it is now in its life-and-death battle, and it is mobilizing every possible agency of education and propaganda—radio, circulars and broadsides, newspapers, and stump speeches.

During the past ten years there has come into wide circulation a new slogan concerning the marketing of farm crops—namely, "orderly marketing." It is obvious, for instance, that if growers glut the market with ripe strawberries or peaches, the price will fall sharply. If there is a scarcity of ripe strawberries, the price will soar. It was assumed that what is true of perishable fruits and vegetables was true of wheat. But wheat is a non-perishable commodity grown on every continent, harvested at some place every day in the year, easily shipped long distances, and safely stored for long periods of time. The concept of orderly marketing, which originally meant the feeding of the market in a regular, orderly fashion and the avoidance of dumping, is, I repeat, good for ripe strawberries but not for wheat.

The pool practiced what it considered orderly marketing on the six wheat crops of 1924 to 1929, inclusive. Strictly speaking, this theory should mean the marketing of one-twelfth of the crop each month, but the pool early rejected any such rigid application of the theory, because buyers did not appear in this mathematical and orderly fashion, and, after all, the buyers were the wheat market. Demand was not "orderly." So the pool varied its quota from month to month according to buyer demand, but yet undertook to sell about one-half its wheat during the first six months and one-half during the second.

By following this system for five years it was able to get in some years a little more for its wheat, in others a little less than the non-pool farmers received. But the average was good enough so that the members renewed their contracts at the end of the first five-year period. In the sixth year, the first year of the second-term contracts, the non-pool farmers came out ahead by at least fifty cents a bushel. The pool this time had stretched its own theory of orderly marketing to mean the withholding of wheat in the fall in order to force higher prices in the spring, justifying itself by saying that there was absence of buying power in the fall. So there was; but there is still greater absence of buying power now, twelve months later, and more wheat than ever on hand to be sold.

There are two reasons why the pool's current theory of orderly marketing does not work for wheat, oats, or corn. In the first place, the futures market takes care of "dumping." For instance, the average receipts of corn on the Chicago Board of Trade are 300,000 bushels a day. I have seen 3,000,000 bushels dumped on the market in one day and the price rise. This corn was bought, paid for in cash, and sold at once for future delivery. The buyer of the cash grain had no risks from price fluctuations and hence bought freely. He was ready to buy any quantity up to the physical limits of the city's storage, pay cash for it, and sell it for future delivery, without risk to himself. The futures market is so wide that a few millions more or less mean nothing to it. If one of the great terminal markets gets plugged with excessive receipts so that the railroads place an embargo on it, this is, of course, a price-depressing situation. But it very rarely occurs.

In the second place, the world's wheat market is geared to the present system of world harvests—the Northern Hemisphere clearing its seaboard wheat ahead of the Southern. If the American farmer "dumps" 50 per cent of his wheat the first ninety days after harvest and the remainder when it is convenient, and the Canadian farmer does exactly the same with his wheat—and this is his habit—the flow of wheat to the European buyer is fairly "orderly." For then the way is cleared for the heavy flow from Argentina following the December harvest there; and finally for the flow from Australia. To this commercial system the world market is geared, and wisely so, for it saves Europe the expense and trouble of large storage facilities. The great terminal elevators for cleaning, drying, processing, mixing, and storage are in the homelands, where they belong. Europe neither needs nor has much grain warehouse space.

Under the Agricultural Marketing Act of 1929 the United States has a Farm Board. The act provides for "orderly marketing." The Farm Board came into power, a little more than a year ago, committed to attacking the wheat-marketing problem first, and committed also to the orderly-marketing theory. The board considered the Canadian wheat pool an outstanding success and began at once to promote the organization of a gigantic wheat pool in the United States, hoping to amalgamate for that purpose the eight existing wheat pools and the five thousand local farmers' elevators. A small fraction of these concerns came together in a quasi-pool known as the Farmers' National Grain Corporation.

At that time both the Farm Board and the Canadian wheat pool were forecasting higher prices for wheat, though actual prices were moving downward. Such forecasts did much to drive European buyers to other sources of supply. Since wheat prices were not behaving according to the schedule of the pool and Farm Board, the board took the next step permitted by law—a step which it later regretted. It entered the market and bought wheat boldly so as to force the price up in the way it should go. The board entered the Chicago wheat pit through its own agency, the Grain Corporation, and bought futures, hoping thereby to lift cash prices. Cash prices responded for a day or two and for a cent or two to this new and unknown power, then yielded once more to the domination of world conditions of supply and demand. Wheat prices continued to sink. Europe continued to find wheat elsewhere, and to use more substitutes for wheat. Several countries even raised their tariffs against imported wheat.

The Farm Board decided to quit the market and withhold its wheat, some 69,000,000 bushels, till some time in the future, unspecified, when the price should be "right." The Farm Board and the pool thus had the same experience in withholding wheat in order to force a rise in price. The result in the end, as later events have proved, was merely to lower prices still more. For the big carry-over, to be marketed at some unknown time, is a depressing factor. A supply withheld is not disposed of.

The Farm Board has quit "stabilizing" wheat prices

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by buying and selling wheat. It has a new program—to reduce acreage and raise prices. The pool, too, is looking for a new program. A government wheat board has been proposed, but that plan is now laid aside. The Saskatchewan pool is at present forcing a referendum in that province on the question of a compulsory pool. If this referendum carries it will probably mean a breaking up of the present central pool.

Meantime, the most successful farmers' marketing agency in Canada is the United Grain Growers, which follows the usual commercial practices of hedging in the futures market and exporting through the old established channels in Europe. It has twenty years of experience behind it, and does a $50,000,000 business.

The most successful farmer-owned grain-marketing agency in the United States is the system of 5,000 country elevators, with a turnover of $750,000,000—or three times that of the Canadian wheat pool. If the wheat pool goes and the Farm Board quits, these other two agencies will still continue on their old job of successful cooperative marketing. On the whole, our big, highly centralized farmer organizations have not had a record of brilliant success.

On the College Frontier

VI. The New Legal Education*

By HERMAN OLIPHANT

THE present is an unusually interesting moment in legal education. At no time during recent decades have so many new things been under way. There is space here to consider only the outstanding ones. Standards for admission to law schools and to the bar are shifting, methods and materials used in legal training are changing, the whole body of substantive and procedural law is being so reorganized as to give a radically different approach to the entire subject. Important changes in the philosophy and the methods of work of legal scholars are taking place and there is a marked increase of emphasis on research as opposed to professional training.

It is easier to get an understanding of what is happening in this field if one begins by recognizing that legal education has two quite different chores to do. It must transmit from one generation to the next that body of professional knowledge and skills relating to law and its administration which each generation has, and it must enlarge and improve that body of knowledge and skills.

How these two distinct tasks have been and are being performed would make two interesting stories, which, let us hope, will be told sometime by two competent graduate students wanting both a doctor's degree and a subject for a thesis. Only fragments of these two engaging stories have been related. The difference between these two functions of legal education strikingly appears when it is seen that the story of how each generation passes on its legal knowledge and facilities to the next one should be told by a graduate student working in some school of education having a department dealing with professional education, while the story of how each generation increases our total fund of legal knowledge and aptitudes would be an appropriate subject for a graduate student in philosophy interested in the history of human thought. Remaking professional training in law and remaking legal scholarship are the two parts of the remaking of legal education.

Our hypothetical student of professional education would find that legal training began in this country as apprenticeship training. The legal neophyte read law in some practitioner's office and watched him as he dealt with clients, witnesses, juries, judges, and fellow-lawyers. When the practitioner had sufficient time and inclination properly to foster the apprentice's training, it was not a bad form of professional tutelage. In the next stage specialization occurred. Some practitioners began to take not one but many apprentices, devoting all of their time to them. Methods of large-scale production thus began to be applied.

In the third stage this segregation of apprentices for training was undertaken by some of the colleges, notably Harvard, whose interest in law prior to that time had been confined pretty largely to unrelated courses of learned lectures having a mixed cultural and professional purpose. The integration of these first law schools with their respective colleges was for the most part limited to geographical proximity. They were in the colleges, not of them, and it is extraordinary to what extent this attitude of intellectual aloofness has characterized our university law schools until very recent times. That they are becoming an integral part of the intellectual communities in which they are set is one of today's most striking developments. And, as will be seen later, the law school has come to recognize the need for material outside its own field.

During this third period instruction was given by lectures. Such lectures naturally ripened into textbooks and treatises on the branches of law with which they dealt. These treatises, together with Blackstone's "Commentaries on the Laws of England," which had a very large sale in this country, were the most important influences in shaping the general organization of law and the philosophical attitude of American judges, lawyers, and legal educators during the latter half of the nineteenth and the early part of the present century.

The work of Langdell and his colleagues in the Harvard Law School, beginning with the last quarter of the nineteenth century, initiated a fourth period in the history of professional training. It introduced *inter alia* the "case method," which by sending law students from textbooks back to the original decisions of the courts on which those books were based made for tremendous improvement in training for the practice of law. So great was this improvement that the Harvard Law School quickly became the model used in the organization of the law schools of other American univer-

* The sixth of a series of articles on educational experiments. The seventh, Civilizing Teacher Training, by T. L. Scholtz, will appear in the issue of November 12.—Editor The Nation.

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sities. Thanks to the "case system," students no longer sat passive under lecturers. They became active participants in their own education by the reading and critical discussion of actual court decisions. The soporific drone of the lecture was replaced by the clashes between teacher and student or student and student in arguments over the soundness of real cases decided by courts. This shift from abstraction to concreteness of treatment made the "case method" a truly remarkable device for stimulating class interest and justifies its being considered a most substantial contribution to pedagogical procedure. Although it is being modified in relatively minor ways, we may be sure that the "case method" represents a permanent addition to legal pedagogy.

The virtues of the "case method" are sufficient to justify it. Its introduction had a good and a bad effect in the field of legal scholarship, in addition to its effects upon professional training. By sending legal scholars from textbooks to the precedents from which they were constructed, the "case system" led to a most useful revival in the study of legal history. In the light of earlier decisions familiar doctrines of law were refined and reorganized into more comely systems of thought. But the "case method" came to be widely referred to as an *inductive* method. It was easy to make the mistake of generalizing from the "case method" as an inductive method of teaching, which it clearly is, to the "case method" as an inductive method of research for the discovery of new truths, which, of course, it is not at all. A long and widespread confidence in the "case method" as an inductive method in this latter sense has doubtless contributed to the complacency of legal scholars about this matter of improving methods of research—a complacency which has persisted while scholars in other disciplines have been very active in reexamining the whole methodology of their several subjects.

The main outline of the picture of professional education in law some fifteen years ago is complete if we add one more line. With the organization of the Association of American Law Schools in 1900 began an increasingly effective effort to improve legal education by raising the entrance requirements, adding to the library equipment, and improving the teaching staff of schools belonging to the association.

During the past fifteen years there have been three outstanding developments in the field of professional training in law:

1. The work of improvement initiated by the Association of American Law Schools has gone forward with growing confidence and it now has the formal and hearty support of the American Bar Association and of many State and local associations of lawyers. While all must recognize the social advantages which these effects have produced, some doubt whether all the changes in this direction promise unmixed blessings. The gradual increase in the total time required to get to the bar and in the cost of attending college and law school may be resulting in an unintended selection of tomorrow's lawyers, judges, and legislators along lines of economic cleavage, or this double increase may finally result in having not a smaller but a larger percentage of inadequately trained men engaged in handling legal matters. A number of law schools are requiring four years of college training as a prerequisite to legal study. This may be expedient for law schools having a superabundance of applicants, but whether on the merits more than two years of college work should be required raises a whole host of serious and contentious considerations which contribute their part to making the present an interesting moment in legal education. For instance, what bearing on this issue does the rise of the junior college have?

Such law schools as have gone beyond asking the applicant for admission how much time he has served in our educational system have pretty largely limited their inquiries to the student's intelligence. A few are experimenting with tests of native aptitude for legal study and the practice of law. It is an important line of inquiry for schools which are in a position to demand anything more than fairly adequate general intelligence, because we have nothing to indicate that beyond that point a man's fitness for law varies directly with how bright he is.

2. Improved pedagogical devices are being introduced. It is no longer an academic sin to include something besides cases in materials for instruction. All sorts of readings and some factual data on both the legal and non-legal aspects of law are being added to the material which many law teachers are putting into the hands of their students. Honor courses and seminars for the better students are being used to meet the evils of undifferentiated instruction of students of varying capacity in excessively large classes. The amount of "spoon feeding" which survived the introduction of the "case method," and which has increased with the increase in the number and scope of the subjects with which the law student wants to acquaint himself, is being decreased by thus handling students in smaller groups and by requiring them to do an increasing amount of independent work in preparing reports on parts of their subjects.

3. More important in its long-time implications is the reorganization of the whole field of law for legal study which was initiated at Columbia and is being developed there and elsewhere. Since law or any other body of knowledge can be thrown into any one of a number of correlated divisions or subdivisions, the merit of the particular plan of organization adopted depends upon the importance of the particular aspects of the general subject which it throws into focus. The orthodox classification of law is old, and in consequence is largely composed of categories representing generalizations having little current significance in relation to contemporary problems of social control. This absence of correlation of the organization of law with current reality almost completely obscures the relevance to legal problems of the other social sciences. The pragmatic consideration controlling the choice of the bases of this new classification is so to regroup legal material that the pertinence of non-legal data will be apparent and that the resources of the other social sciences, whether in the form of literature or trained scholars, may be directly utilized. Back of that criterion are, of course, the assumption that correlating the study of law with the other social sciences will aid in making the law more plastic to changing social conditions, and the further assumption that such increased plasticity is a major contemporary need. It is recognized that a turn of the wheel may make not fluidity but stability the more pressing need, and may antiquate this novel classification which is now so fruitful.

In the field of legal scholarship current happenings are more momentous, because here we are in the midst of nothing less than the spread of the general scientific movement to

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law as it has already spread to medicine. Our hypothetical graduate student of philosophy working on the history of legal scholarship would find a genuine curiosity. Before Jeremy Bentham law was thought of as a body of doctrine resting on postulates that transcended time, space, and circumstance. There was supposed to be a system of natural justice, and it was the business of the judge to find therein the particular solution of every concrete human problem presented in litigation. In flavor the thing was much like some of the finer and more elaborate systems of theology. Deductive processes of thought were considered competent to particularize a universal juridical foreordination resident in a system of natural justice whose postulates rested upon such ultimates as divine will, the nature of things, or the nature of man.

A century ago Jeremy Bentham saw law not as an ultimate but merely as a means to an end and argued that it should be scientifically exploited as such. That after a lapse of a century he is still more modern than the modern in law and legal scholarship is the result of a curious eddy in the history of this phase of human thought. When scholarship in law became of university grade near the middle of the last half of the eighteenth century, it did not begin where Bentham left off. The physical scientists of that time thought they had discovered a system of immutable physical laws, this system, too, having its doctrine of foreordination. The philosophical outlook of men like Langdell was naturally influenced by the philosophy of their time, and just as Huxley thought that the apparent disorder of the material universe could be resolved in terms of a few basic and changeless physical laws, so Langdell thought that there were *principles* of law, fundamental in nature and few in number. There was, accordingly, during the latter part of the nineteenth century, a revival in the search for "fundamental legal principles," with the result that the search for the current utility of legal rules and institutions which Bentham began was not prosecuted. Then came the pragmatism of James and the instrumental logic of Dewey, with the result that we are beginning to catch up with Bentham. Liberals now venture to talk of law as a means to an end, and with greater assurance, since relativity has robbed Huxley's physical laws of their absoluteness.

That is about where we stand today. The younger and more active legal scholars are abandoning formal logic, whether inductive or deductive, as a source of new empirical knowledge, and many are eager to stop talking and begin studying law as a means to present ends. Law as law out of the past could be studied in law libraries. Studying it as a means to an end requires studying the end. That widens the field of legal scholarship to include all sorts of non-legal aspects of problems of law. Field studies are beginning to replace library studies. The need for competent and reliable methods and techniques for dealing with the factual data of such field studies is now acute. The legal scholar is about to become as much exercised over the problem of scientific methods in social science as are other students of social problems.

In addition to this change in the kind of legal research being done, there is a marked difference in the quantity. The intellectual debates which used to be carried on in law journals by such giants as Ames and Langdell have decreased in number and importance. True, law teachers have been improving the quality of their teaching, but the amount of their study and writing, considering the increase in their number, has been falling off. Most of the richer pay-dirt in legal history and in the search for "fundamental legal principles" has been worked. But there is now renewed activity. The re-synthesis of old materials along pragmatic lines, the obvious need for masses of non-legal material to give content to the new organization of the field, and the fascinating prospect of applying scientific methods to legal study are stimulating research activity in all quarters. Altogether, it is a most interesting moment in the history of legal education.

Shall Convicts Write Books?

By MIRIAM ALLEN DE FORD

EVERY autumn and winter the women's department of San Quentin prison, in California, becomes a hive of activity. Every woman who can sew or embroider or draw or paint gets out her needles and thread or her brushes and pencils and goes to work. She is preparing for the annual sale of prison-made handkerchiefs, dolls, and what not, the proceeds of which go to the women themselves. Nobody has ever suggested that Clara and Dorothy and Louise and Eleanor and their friends be deprived of this means of expression and source of income.

But in the main department of San Quentin, and in all of Folsom, a similar attempt on the part of the male prisoners would be quashed firmly and severely—has already been quashed, to its logical limit. Out of those thousands of men, a few have emerged in the past few years who, in spite of being outcasts and criminals, have through untold difficulties developed the ability to write manuscripts acceptable to magazines and to book publishers. The State prison board, apprised of these doings, was aghast. And early in 1928 it clamped the lid down—tight.

"If," said an authoritative announcement, "we permit a man who writes to sell his merchandise, it will only be a step to carpenters wanting to make and sell desks!" Aside from the varied aspects of the "merchandise," any member of a prison board can readily understand that crime would run rampant in California if convict carpenters should be allowed to make and sell desks!

As the men concerned are for the most part in the power of those who made this ruling, it is safer and kinder to name no names, either within or without the walls, and simply to state that everything in this article is based on good authority. But the prison board, through several of its members, has expressed quite frankly the animus behind this regrettable enactment. One of them summarized it in the pronunciamiento: "These men are here to be punished, and should not be allowed to make money."

Sidney Herschell Small, the novelist, whose efforts to form a class in writing at San Quentin led indirectly, through the discovery and development of this group of California prison writers, to their subsequent suppression, was persuaded to discontinue his classes, and given to understand that the more he kept away from the prison the better

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the officials would be pleased. Jim Tully, who visited both prisons and wrote about the convict authors, was definitely (and in private conversation profanely) invited never to come back again. I don't expect to be welcomed with open arms myself in the reception room at San Quentin after this article appears.

Ostensibly the cause of the 1928 ruling was the fact that the first of these novae in the literary sky did what all beginning authors do—wrote about the environment they knew best. The environment being what it was, they wrote about the prison, or about the life they had led which eventuated in imprisonment. Unfortunately but not surprisingly, they were not of the Pollyanna school; what they wrote was always frank and seldom pretty. The officials were naturally outraged. Mixed with their resentment was a possibly real fear lest some of the particulars of crime technique given in these writings might start susceptible adolescents hunting for jimmies and T. N. T. (although one official police magazine asked for permission to reprint a very candid article for the instruction of the force of a great city). But mingled with this fear also was an obscure, underlying feeling of petty jealousy, a half-unconscious irritation that convicts, those creatures less than men, should be able to employ vocabularies and express thoughts above the intellectual standard of some of the aspiring politicians who controlled the prisons. The emotion behind the ruling escaped in the dictum of one official: "I have made up my mind and I will not change it."

The climax of this tragi-comedy came a few months ago, when cells were searched all through San Quentin—not for narcotics or knives, but for manuscripts. The dreadful objects were found in several of them. They were all removed and, presumably, destroyed. One was the just-completed manuscript of a book not bearing on crime or prisons. A volume by the same writer, accepted by a publisher just before the ruling, has since appeared and has met with some success.

Some of the men by this time were too discouraged to go on. Writing had been to them an alleviation of the torture of imprisonment and a means of self-development and self-expression; but the urge was not sufficiently strong to survive under such treatment. A few, however, both in San Quentin and in Folsom, had discovered by sheer accident (for not one of these men, except an old-time journalist now dead, had ever before entering prison written a word except in a letter) that they were not just convicts trying to write, but writers who happened just then to be convicts. They set to again, like ants whose nests have been destroyed, and started to write once more, in the hope that their sentences might be over before another confiscation, and that if they could not sell their "merchandise" now, they might make something of—and from—it on their release.

Perhaps. But one man who has since been discharged from Folsom was forbidden to take his writings with him. And a prisoner on parole from San Quentin published an article in a magazine, under a pseudonym, on prison life, and was informed by the prison authorities that this was a violation of his parole and that he would be returned to San Quentin if he offended in this way again. Whether that will be the fate of the rest depends on the personal whim of the officials concerned. And for at least one of the most talented of these prison authors, who is serving "all the time there is"—straight life—the prospect is a gloomy one.

There are now lying in cells in one or the other of California's state penitentiaries at least two completed volumes, several uncompleted ones, and an uncounted number of stories and articles. The difficulties under which these were written may be understood by a reading of the last chapter of Tasker's "Grimhaven." Possibly the critics should be grateful for being spared the necessity of damning most of these creations, if they should be published, and the publishers' readers for being relieved of having to see that they never are published. But past performance indicates that somewhere among them is work for the loss of which the reading world will be the poorer.

So much for the effect of the prison board's ruling on contemporary literature. Its effect on the writers themselves is much more important and more disastrous. "If only," one of these men wrote me a year or two ago, "I had had a typewriter put into my hands instead of a six-shooter when I was fifteen! . . . You can't imagine the thrill it gives me to see a check which I earned honestly!" The State, however, is not interested; it apparently would rather see a six-shooter in his hands than a typewriter.

The *San Quentin Bulletin*, the monthly magazine which the prisoners write, illustrate, and print, and which they had built up into a readable and attractive general periodical, was also hit by the ruling. Previously, any interested person might subscribe for it by sending a dollar to the warden. Now its circulation is limited to the inmates themselves. A recent letter from Warden Holohan says: "The State Board of Prison Directors has passed a resolution not to accept any more outside subscriptions for the *Bulletin*." There can be no reason for this except the desire to make its writers and editors suffer; for the little magazine contained only a minor amount of prison news, and that little was harmless and frequently complimentary. For the most part it was made up of poems, stories, articles, and pictures bearing little relation to prison life. Often they held an unconscious pathos—they were so obviously the crystallized dreams of men trying desperately to lift themselves by their own boot-straps.

If prisons really existed for the sake of reforming criminals, any new interest or talent or means of honest support that might lead to rehabilitation would be hailed with joy by the officials and encouraged even beyond its deserts. And even if literature *were* merchandise, what conceivable harm could come of its sale? The prisoners who work in the road camps earn a wage, part of which is set aside and taken away with them on their release. Technically, how does that differ from writing a novel and storing up royalties to supplement the five dollars donated by the State at the expiration of a man's sentence? Indeed, contract labor, production of merchandise for sale are familiar features of many State prisons. The rub, it seems, comes when the remuneration goes to the convict and not to the prison.

Meanwhile, here is a mere handful of men—it could never be more—who for the first time in their conditioned lives have seen a way out, a means of living by doing something more constructive and more satisfying than holding up pedestrians, or selling "hot" automobiles, or cashing doubtful checks. By the very fact of their being articulate and

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acceptable to editors and publishers (a skeptical and Missourian tribe), they are necessarily also more sensitive, more emotional, and more easily influenced than is the average moron or ruffian of the prison population. And it is precisely from these men that a callous and small-minded ruling takes away the last hope, the last dream.

A few of these men can write so well that American literature is the loser by their silencing. Even the others have their private tragedies. Somewhere a delicate, frail wife, struggling loyally to keep afloat, sees the new plans made on painful monthly visits go glimmering. Somewhere a reckless, disappointed boy tosses on his prison cot and smiles in an ugly way as he faces the old future at the end of his sentence instead of the new.

"These men are here to be punished." And the California State Board of Prison Directors means to see to it that they receive their punishment.

In the Driftway

THE Drifter learns with regret that the pigeons that wheel and dip above the tenements of New York are doomed to disappear, as their wild prototypes, the passenger pigeons, long since disappeared from the back country. Their extinction will be brought about not by the inordinate greed of hunters' guns but by a decree of the Tenement Department, which finds their housetop coops unsanitary and obstructive of fire escapes and the bricks and stones thrown aloft by their keepers to urge them to wider circling a menace to persons in the street below. The Drifter feels that something of beauty will be lost to the New York scene when the pigeons are gone. He will miss the rhythmic curves of their flights over the water tanks and radio poles —the dipping sweep, dark against the sun, the precise maneuver of the turn when each wing becomes a silver scimitar, so thin that for a moment the entire flock seems to have vanished into the blue. He has never been able to believe that they aren't flying just for joy in air and light and space, though he has been told that they are lazy birds always trying to sneak home and that their masters have to work hard to make them take the proper amount of exercise. It is also said that their flights are in a way piratical—they are unwilling buccaneers on an "innocent voyage." As they sweep through the air in ever widening circles, they draw into their orbit any lone wandering birds that may be in the neighborhood and bring them back as prizes to the home port.

* * * * *

EVEN homing pigeons, used for racing, are to be banished by the new ordinance from their penthouse lodgings, though a friend of the Drifter's who goes in for this sport assures him that these blueblooded birds could by no stretch of law be classed as undesirable neighbors or as nuisances. They are bred from stocks that are centuries old, are fed on imported grains, and have traditions that go back to Solomon and to the Greeks and Persians. Names of the winners of the Olympic games were sent to distant cities by carrier pigeons. During the Crusades the Saracens used them as messengers between their roving bands. And before the electric ticker was invented anxious speculators watched for the homing pigeon to bring them news of riches or ruin. The Drifter is not particularly interested in the speed records of his friend's pigeons, but he takes great pleasure in the nomenclature of pigeon-breeding. "Damascenes," "Florentines," and "Lahores" have their glamor for one of his propensities; "helmets," "hyacinths," and "jacobins" are names to conjure with; while to one who appreciates pigeon personality what could be more charmingly suggestive than "nuns," "porcelains," "priests," and "archangels"? Other pleasing bits of pigeon lore the Drifter has picked up are that outside the fancier's field pigeons' eggs are not eggs at all but fifteenth-century Venetian beads; and pigeons' milk is that which has been immemorially sought by April Fools.

* * * * *

THE Drifter hopes that some of the pigeons to be barred from tenement roofs will find homes with their more Bohemian cousins that nest in the spires and mullions of the city's churches, and a feeding ground in some sunny open square where children and old men will coax them with popcorn. But he fears that if they have no masters to drive them on their kidnapping flights, the skies will be bare of their circling wings and the city more than ever just a place of brick and mortar.

THE DRIFTER

Correspondence

About the Gastonia Bail

TO THE EDITOR OF THE NATION:

SIR: Mr. Gannett's article, Skipping Bail, in your issue of October 22, contains certain misstatements which as treasurer of the International Labor Defense I want to correct.

"The Moscow officials yielded to drama and sentiment, hailed the five [Gastonia prisoners] as heroes, and persuaded all to stay," writes Mr. Gannett. The Gastonia prisoners went into the Soviet Union on their own initiative, without the advice of any organization. They are remaining on their own initiative. No one has brought pressure to bear upon them. In the one country open to class-war prisoners who suffer under capitalist class justice they have the right of political asylum which the liberals used to uphold for political prisoners escaping to the United States.

"Now they [the American Communists] seem to be accepting the easy theory that to do so [repay the forfeited bail] would reveal a silly bourgeois sense of honor." Mr. Gannett is here making an unwarranted assumption. It was exactly three weeks ago on October 20 that we found out definitely that the Gastonia bail was forfeited. We have already made plans to raise as soon as possible the sum of $37,500 ($27,500 in the Gastonia case and $10,000 for Beal in the Michigan case). More than $900 has already been contributed by workers who have voluntarily canceled, at great personal sacrifice, amounts they had loaned for Gastonia bail.

The International Labor Defense never has advised and does not now advise any prisoners to jump their bail.

New York, October 23 GRACE HUTCHINS

[Miss Hutchins seems to have missed the point of Mr. Gannett's article. He argued that while the Gastonia prisoners were indeed victims of class war, their flight to Russia nevertheless prejudiced the case of every subsequent class-war prisoner in America. Miss Hutchins is probably aware that the case of the American refugees was argued before the Communist International, and that it was only after its decision

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that the whole group decided to remain in Russia. Until the American Communists disavow such bail-jumping they will naturally have difficulty in getting bail in new cases; we are glad to learn that the International Labor Defense is planning to raise the amount of forfeited bail, as the I. W. W. did in the Chicago cases. It is very important that faith in the sense of responsibility of labor prisoners be restored.—EDITOR THE NATION.]

Mr. Hoover's Statesmanship

TO THE EDITOR OF THE NATION:

SIR: President Hoover has been widely criticized in liberal publications for his King's Mountain speech, yet in none of the censorious articles that have come to my attention has he been called to task for what seemed to me his most grievous sin. It was grievous because it concerned so elementary a matter. It revealed him to be as dishonest a man as one might hope to discover in public life.

I refer to his misleading phrase "socialism or its violent brother, bolshevism." He cannot be ignorant of a distinction which he would have us infer is one of degree and of degree only. But I am not quarreling over a matter of definition merely. Hoover's dishonesty seems to me to lie in this—that he was speaking in a section of the country that recently has been only too sensitive and much too muddle-headed toward social changes, but instead of leaving with the people of that section some clarifying thought in so simple a matter as that of defining accurately social theories, he chose to add to the general confusion and so to encourage the prejudices and shortsighted economic policies that have made working conditions in the South the most backward in the nation. If the next clashes between mill owners and mill workers are not more violent than the ones we have recently witnessed we shall owe no debt of gratitude to the statesmanship of Mr. Hoover.

I am far from insinuating that the President should speak well of social theories in which he has no faith. But if he cannot speak well of what he has no faith in, and if he is an honest man, he should use scrupulous care not to perpetuate false ideas; if he is a man of character he should attempt to lead his people out of the wilderness of ignorance. He seems to be neither of these.

New York, October 23 D'ARCY DAHLBERG

The Poor Author

TO THE EDITOR OF THE NATION:

SIR: An editorial article in your issue of October 15 entitled The Poor Author relates to a popular delusion, which has persisted for a very long time, that in order to write you must sit in the shadow of the poorhouse. As a matter of fact, this is a fabrication kept alive only by the poor author himself.

The big truth is that an inner pressure of necessity, not an outer pressure, produces good books, good paintings, or good anything else. Almost anybody knows that emotion is the basis of all art. And emotion without leisure must go uncelebrated. All artists should be economically independent. The weaker ones are seldom able to stand the chastisement of leisure. They perish—not too unpleasantly. Only the stronger ones survive. If financial independence will cause writers to "cease to work at all from the moment of becoming financially independent," then by all means let us set about subsidizing them. It would be a great boon to the overworked publishing business.

New York, October 22 WOOD KAHLER

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Books and Drama

Haunted

By LILIAN WHITE SPENCER

It is not the wind that is wailing here
Not the wind
Over the prairies beyond and near
Where long ago
We Sioux fought a tribe of our hate, the Crow.
Above tall grasses echo the rattles
Of murdered ghost-chiefs and spirit-battles
It is not the wind.

"Dog-soldiers" we named these, our bravest men,
"Dog-soldiers"!
For this was their deed and stratagem
To stand before
Us and our enemies met in war
Chanting our victory. Still, their singing
Is heard in this place and arrows winging
It is not the wind.

In the ground each "dog-soldier" stuck his lance
In the ground
And tied himself to it round and round
And there would stay
Till his own kin loosed and whipped him away.
Down ancient fields of the buffalo
Faintly the old yells come and go
It is not the wind.

That day was dark for the Sioux. We fled
That dark day.
The Ravens chased far all who were not dead—
So—we forgot
Our holy "dog-soldiers" left to rot
And here they are yet in eternal camping.
Listen! That sound is their whoops and stamping
It is not the wind.

Here's Mr. Foerster Again

Toward Standards. By Norman Foerster. Farrar and Rinehart. $2.50.

I AM sorry to find myself here brought back to what has long been a tiresome subject, but I began this book under a misapprehension. I thought I was really about to read something definite concerning those Standards in criticism about which humanist critics always talk with such impressive vagueness. I found, alas, just another rehash of the new humanism.

Mr. Foerster is in some respects more disarming than his masters, More and Babbitt. It would be too much to expect him to take a deep interest in contemporary creative literature, but he is at least at pains to read the works and examine the theories of contemporary critics who do not belong to the new-humanist group, and his examination often wears an air of fairness. One catches him, for example, making admissions and concessions that one never catches Mr. Babbitt making.

Yet the new humanism does not advance a step in the present volume, and only reveals its weaknesses and real affiliations more glaringly. Emulating Mr. Foerster's own system of numbered "points," we may remark that:

1. Humanism still clings to its rhetorical vagueness. It represents, says Mr. Foerster, "the perennial effort of mankind to understand and express its humanity"—as if mankind could express anything else. It still places the actions and thoughts of men on three "levels," the natural, the human, and the religious, or the subhuman, the human, and the superhuman, which, as I have remarked elsewhere, is as logically valid as dividing the actions of a dog into subdoggy, doggy, and superdoggy.

2. It continues to emphasize the negative and not the positive virtues, and it continues systematically to confuse means and ends. When Mr. Foerster remarks that "the *ultimate* [my italics] ethical principle is that of *restraint* or *control* [his italics]" he plunges, with Mr. Babbitt, into one of his worst absurdities, for restraint, carried to its logical extreme, is the virtue of the dead, not of the quick. Restraint, of course, is an essential element in any workable code of ethics, but it should never be the ultimate principle. Restraint of this or that particular impulse for the sake of ultimate happiness or of a harmonious life is intelligent and understandable; restraint for restraint's sake is pointless, a stupid asceticism. Restraint, in brief, is a means, not an end; there are times for it and times for its comparative absence. An obsessive concern for "restraint" is the mark of a timid and niggardly man, not of a generous and courageous one.

3. Humanism is here revealed as definitely obscurantist, as not merely patronizing in its attitude toward science, but plainly antagonistic. Mr. Foerster is constantly warning of "the limits and dangers of the scientific view of life." Like Messrs. More and Babbitt, he is conscientiously ignorant of science, even of its methods and aims, and he reveals this even when he attempts to be condescendingly open-minded. When he finds the Greek tradition "scientific in the full sense," one wonders whether he can possibly have read what passed for physics in Plato or for biology in Aristotle, or whether he knows how little the Periclean Greeks cared for systematic experiment or even direct observation of nature. But a sentence in Mr. Foerster's final chapter, I think, is revelatory: "As the past has proved, humanism allies itself naturally with dogmatic religion." This sufficiently explains its fear of genuine science, for the scientific spirit is as antagonistic to dogmatic humanism as to dogmatic religion. True, Mr. Foerster, like Mr. Babbitt, constantly identifies humanism with the "critical spirit"; but—if such a minor inconsistency (for Mr. Foerster) is worth noting—since when has the critical spirit been the natural ally of the dogmatic spirit?

4. Mr. Foerster quotes the aim of the Renaissance humanist, Vittorino: "the harmonious development of mind, body, and character." He speaks himself often of a new humanism "based on the whole of human experience," seeking a "many-sided, harmonious life." All this is admirable so far as it goes, but we do not need to be new humanists to accept it. The new humanists themselves, surely, are not giving very much prestige to these ideals; on the contrary, they seem to be doing a great deal to discredit them—first by making them seem intimately associated with notions that are patently untenable, and next by setting bad personal examples. For the leading humanists, Mr. More, Mr. Babbitt, Mr. Foerster, are, as I have said, obviously and even proudly ignorant of the huge department of human thought and effort comprehended by the sciences; they are not many-sided but lopsided.

In addition to a chapter on humanism in the Renaissance, Mr. Foerster has written a chapter on impressionistic criticism, a chapter on the criticism of Mr. Carl Van Doren, Mr. Canby,

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and the late Stuart Sherman, and a chapter on the "prophetic" critics, Randolph Bourne, Mr. Van Wyck Brooks, and Mr. Lewis Mumford. These contain interesting summaries, but have no importance as theoretical contributions. The best essay from the theoretical standpoint is that on impressionism, which has a promising beginning, but Mr. Foerster never really comes to grips with his major problem, for while he points out the difficulties of pure impressionism, he never faces candidly the difficulties of a critic who believes that he can arrive at "universal" instead of "personal" judgments, who believes, in other words, that he can make himself into an epitome of the human race.

HENRY HAZLITT

Alain

Mars, or the Truth About War. By Alain. Jonathan Cape and Harrison Smith. $2.50.

THERE is a reading public, composed of literati, which knows almost nothing about philosophy and the social sciences, but which nevertheless feels an interest in philosophical and social ideas—an interest not entirely satisfied by reading the current reviews of important works. It is this public that has given importance to a kind of writing that is neither belles-lettres nor yet sustained thought: short, undocumented, "suggestive," unsystematic, and very literary books, usually collections of essays. Their typical writers are Paul Valéry, T. S. Eliot, and A. R. Orage. Alain, who has an enormous reputation in France and who is now for the first time translated into English, belongs to this class.

It is significant that all the writers mentioned have been interested first in aesthetic problems, for it is their writing in this field that has given them their model. Their over-concise, elliptical style, with its false air of precision (created by a parade of qualifying phrases) cloaking the essential absence of definition, their obscure and allusive manner are especially suitable to the field of aesthetics and literature, subjects whose principles remain vague, whose boundaries are unmapped, with which documentation can do little to induce intuitive agreement, and to which dialectic proof is inapplicable. Yet even in this field such an endeavor as I. A. Richards's (in his "Principles of Literary Criticism") to write with some science and system makes the work of these others appear that of amateurs and dilettantes.

Certainly the attempts of these writers to deal with philosophical and social ideas, fields intensively, fruitfully, and systematically cultivated in well-established traditions, in the same fragmentary way that they deal with literature are not to be taken very seriously. One's judgment on this aspect of their work is made more harsh than necessary by the serious attention one sees lavished on it by men who should know better. It is not so much this kind of writing as the uninformed praise of it that should be condemned. There is a certain, though very subordinate, value in Valéry's ideas about the nature of thought, Eliot's ideas about politics, or Orage's psychological exercises. Such work is at least a kind of journalism of thought. But it is never more. And for this reason it is unfortunate that Alain should be introduced to the English public by these little essays on a subject which—unlike aesthetics and religion, on which he has written a number of books usually referred to by thinkers who praise him—is comparatively amenable to analysis. War is a phenomenon with economic and social causes, and there is already a considerable literature upon it in economics and social psychology; anyone who writes about war with any hope of saying something important must take this literature into consideration, and must certainly be prepared to elaborate fully his ideas. Beside Trotter's "Instinct of the Herd in War and Peace"—I compare it to a book which is also a psychological study, tentative and speculative—Alain's essays appear thin, pontifical in their brevity, and literary in the worst sense of that word.

Alain hates war, thinks it not inevitable, and considers its cure to be the reduction of the power of the state, which he considers at best a necessary evil. He considers the conflict of interests to be "only the occasion" for war, its cause is "the passions." The conflict of interests and the passions are talked of as if they were individual as well as social phenomena; which they are at any point is not quite clear; and their relation to the war-waging state is not developed. An individualistic psychology—Alain tells us that Descartes has said the last word on the passions—is scarcely the instrument with which to analyze a group phenomenon like war. Though the essays were written to stand together, there is no attempt to relate the various ideas to each other. The best bits in the book are discussions of the minutiae of war: the psychology of commanding officers, of civilians, of army doctors. This gives us a hint as to what is wrong with the book. Alain is, perhaps, attempting nothing more than to tell us how he *feels* about war, but he has selected the form most unadapted to this. A narrative, interspersed with reflections, should have been its style, not this highly abstract and obscure prose. The result of this war between a narrational motive and an ideational form has been that neither emotion nor idea has come through. We shall have to read something of his much more successful in form and impressive in content before we can understand the awe and admiration with which André Maurois and Denis Saurat write the foreword and introduction.

FELIX MORROW

Morbidity in Fiction

As I Lay Dying. By William Faulkner. Jonathan Cape and Harrison Smith. $2.50.

IN his fourth novel Mr. Faulkner has to an extent departed from the irritating obscurity which marked "The Sound and the Fury." It still seems that his is a far more involved technique than his material actually requires: impudent analysis might reduce this story to the dimensions of simple melodrama. But as people are always triumphantly reminding us, the same thing can be done with "Hamlet."

Mr. Faulkner has a set of romantic obsessions which he treats in a highly intellectual manner. He is fascinated by characters who border on idiocy; by brother-and-sister incest; by lurid religious mania; by physical and mental decay; by peasants with weird streaks of poetry; by bodily suffering; by the more horrifying aspects of sex. Though his approach is always objective, he specializes in emotional extremes—is a sort of prose Robinson Jeffers.

"As I Lay Dying" deals with the Bundren family who are transporting their coffined mother to her burial place in Jefferson, thirty miles away from the Bundren farm. During the course of this nightmare journey, which occupies nine days, we are taken inside the minds of the family and their neighbors. We learn that Dewey Dell is pregnant via her brother Jewel; that little Vardaman is a gibbering half-wit who believes his mother a fish; that Cash's mind is obsessed by his carpenter work on his mother's coffin. The strange tragedy of the dead Addie Bundren becomes clear as we listen to the weak-minded mutterings of old Anse, to the fanatic utterances of Cora Tull, a neighbor, and to the poetic, half-mad fantasies of Darl, another son. The whole affair is a psychological jig-saw puzzle, the pieces of which are represented by the distorted mentalities of half a dozen characters. The fascination of the story lies in

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e manner in which the phosphorescent rottenness of the family adually reveals itself to the reader.

Despite the enthusiasm which has greeted Mr. Faulkner's ork, it is difficult to believe him an important writer. His orbidity is interesting but tends to repeat itself. He seems ry acute in his portrayal of defective mentalities—but how, ally, can one check up on this portrayal? The minds of idiots e more or less a closed book to us. We may be thrilled by ie terrors of Vardaman and the mad vagaries of Darl, and vertheless long for a few characters whose experience occaonally identifies itself, if only vaguely, with our own. If we e to judge from his first novel, "Soldiers' Pay," Mr. Faulkner quite capable of handling the more normal aspects of humany; but out of an undoubtedly honest perversity he remains sturbingly faithful to his old lechers, his brutal drug-store erks, his sexual inverts, and his insane dreamers. Mentally sintegrated types (unless the disintegration is of a subtle and mplicated character) are not a very rich mine for investigaon, as, for example, T. F. Powys has discovered; and one hopes Ir. Faulkner before long will come to the same conclusion.

But no one can doubt that the author of "As I Lay Dying" as a really interesting mind, apparently untouched by the major ntellectual platitudes of our day. His cosmos is awry; but it is is own, self-created. Genuine idiosyncrasy is rare among our ounger novelists. For the most part they explain themselves o easily; they are conveniently ticketed. Mr. Faulkner cannot e so ticketed; that is one reason why he deserves attentive onsideration.

CLIFTON P. FADIMAN

Was Roosevelt "Betrayed"?

Villiam Howard Taft. By Herbert S. Duffy. Minton, Balch and Company. $5.

Taft and Roosevelt: The Intimate Letters of Archie Butt. Doubleday, Doran and Company. Two volumes. $7.50.

ANY book, though it were only remotely to bring Roosevelt and Taft within the circle of its attention, must raise again that always fascinating query: What was at he bottom of the bitter feud between the two men? Here are wo works to start one off again on a hunt for clues.

Mr. Duffy's biography of Taft offers little help; indeed, hough Taft is but a minor historical personage, this life does ot do its subject complete justice. The book is off balance; it evotes too much space to matters that are inconsequential, like Taft's Philippine experiences, and it hastily passes over those hings we should want to know more about. For example, any ympathetic biography of Taft must endeavor to make out a ase for his legal, political, and economic conservatism—of which Taft was not the chief exemplar but concerning which he did ave a number of interesting things to say. Again, Taft was Chief Justice of the United States during almost the whole of the 920's, certainly a decade of the utmost significance in American nnals. Mr. Duffy gives these things next to no attention, evoting but fifteen pages to Taft's career on the Supreme Court ench.

Archie Butt's letters, on the other hand, are of the first mportance. They run from March 7, 1909, to February 27, 912, and there are 850 pages of them, all of which repay readng. The friends of Taft should be thankful to Major Butt's amily for having made them public, for nothing could have erved better to convince us of Taft's essentially fine qualities han these letters. Butt was Taft's military aide as he had been Roosevelt's. He served as Taft's bodyguard, companion, playmate, social guide, and, what becomes inevitable from such a lose relationship, his confidant. Butt set himself the task of ecording the happenings about him objectively, appreciating that he was not even a minor actor in the play. Yet he occasionally lets his own feelings escape, as, for instance, when he has to talk of Carnegie, Frick, Penrose, or Murray Crane, and his contempt for the low tricks of these gentry makes one appreciate that not only were Butt's eyes and ears open, but that he was also the possessor of a sound judgment.

Taft emerges from the pages of Butt's correspondence the amiable, lazy fat man we have known him to be. He liked to show himself and gadded about the country almost incessantly; he could always be depended upon for a cornerstone laying or the unveiling of a public monument; he delighted in making extemporaneous addresses, some of which he did very well, though on at least one occasion (the Winona speech) he stirred up a fearful hornet's nest with his hastily prepared remarks. Apparently, too, Taft had little stomach for the nasty political intrigues his so-called friends were always involving him in. Taft's tastes ran to much simpler fare. Naturally he wanted to be reelected—that is the first thought of every President as soon as his clothes have been placed in the White House closet. But it is doubtful if Taft ever showed as much avarice in this respect as have his predecessors or, for that matter, his successors. There is one thing the reader will be interested in finding in these letters about Taft, and that is Taft's growing bewilderment at Roosevelt's coolness. They had parted on terms of the greatest friendliness; after Roosevelt's return from Africa and Europe they were less than strangers and were soon to become foes.

Taft had every reason to be puzzled over Roosevelt's conduct. In a revealing passage Butt has Taft say of his associations with his chief:

> Root and I were what were called conservative members of the Administration, Root being a good deal more conservative than I at times, I fear, but we were the two whom Roosevelt sometimes did not advise as to what he was doing until after it was done for fear of meeting opposition. . . .

Of course. Roosevelt and Taft had known each other intimately for five years, not a day going by probably that some communication verbal or written did not pass between them. Roosevelt knew Taft as well as one man could another: he knew Taft's judicial temperament, his respect for property, his indolence, and his distaste for anything that demanded swift action or energetic leadership. Yet Roosevelt had picked Taft out from a group of available aspirants to receive the Presidential accolade. Taft, Roosevelt had declared, had been favored because he was the very man to carry out the "Roosevelt policies." And when Roosevelt broke with Taft the charge was broadcast that the Ohioan had betrayed a solemn trust, that the "Roosevelt policies" had been sold out. That was why Roosevelt threw his hat into the ring in February, 1912, and set out to gain the Republican nomination for himself.

These "Roosevelt policies" merit serious consideration. Shall one find them in Roosevelt's talk or in his deeds? The talk simply overwhelms the patient inquirer. Starting from that first amazing Congressional message of December, 1901, with its 30,000 words, one finds one's self in a veritable flood of verbosity. In messages, interviews, inspired articles, speeches, and open letters on birth control, the care of dependent children, the conservation of wild life, the exclusion of Japanese immigrants, the Kaiser, the Filipinos, the Cubans, trusts, labor leaders—on every conceivable subject important or not—Theodore Roosevelt talked on. A whole lot of it was idle stuff; much of it was just plain silly; not an inconsiderable portion of it was in the characteristically guarded vocabulary that statesmen affect; some of it was made up of the kind of weasel words he professed to hate. For Roosevelt was not always that fine, reckless spirit he wanted to convince people he was—that man of "pure act" of Lord Charnwood's pretty fiction.

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Thus, if in one breath he excoriated the "malefactors of great wealth," in almost the very next he could slap Eugene V Debs in the face by calling him an "undesirable citizen." Ther were very bad trusts, like the meat packers; but then, on th other hand, there were good ones, like United States Steel. W had to observe scrupulously our treaty obligations towar nations, and intervention in Cuba, in 1906, was staved off a long as possible; we could unscrupulously disregard our treat obligations toward Colombia, and intervention in Panama, i 1903, was in violation of a solemn convention. Teeth had t be put into the Interstate Commerce Act, but La Follette was "fool radical" for championing a measure that was only th logical development of Roosevelt's own thesis. The talk get one nowhere. Suppose we see, in an effort to get at the hear of this business of the betrayal of the "Roosevelt policies," wha both Roosevelt and Taft were able to accomplish as far as th leading questions of the day were concerned.

Trust busting? Taft's Department of Justice initiate twice as many suits against trusts in four years as did Roose velt's law officers in seven and one-half years. Taft was n more responsible for the Standard Oil decision of 1911, with it promulgation of the rule of reason, than the man in the moon The fact is, Roosevelt, with his insistence that there were goo as well as bad trusts, helped prepare the way for Chief Justic White's *obiter dictum*.

Control of the railroads? Both Presidents were responsi ble for railroad legislation but both stopped short of acceptanc of the only sensible program calculated to bring about govern ment control, that is to say, railroad valuation as the basis fo rate-making.

Dollar diplomacy? Roosevelt was responsible for this wher he first sent marines into Santo Domingo in 1905, and the so called Roosevelt corollary of the Monroe Doctrine (finall repudiated last year by the State Department) was the Colonel' very own. When Taft set our State Department at watchin American dollars in the Caribbean and in China he was merel following Roosevelt's example.

A labor program? Neither President did anything of the slightest significance to aid labor, and the attitude of both toward the use of the injunction in labor disputes forced Gompers into the arms of Bryan in the campaign of 1908.

Protectionism? Roosevelt fought shy of tariff tinkering during both his administrations, but that he understood the tariff-revision promise of the 1908 platform in Taft's terms was proved by the fact that he gave the reprehensible Payne-Aldrich Tariff Act his benediction.

Navalism? Roosevelt originated the program of two capital ships a year and started the three-cornered race with Great Britain and Germany. Taft continued it.

Standpattism? Roosevelt associated on terms of cordiality with Aldrich and Cannon, the leaders of the Republican Old Guard, and warned Taft not to estrange them. Roosevelt detested La Follette and never offered the Senate's lone insurgent, during 1906-8, a single word of encouragement. Taft, on the other hand, listened to the insurgents when they came to protest against the Aldrich tariff bill, and the lightening of some of the schedules was due to Taft's intervention.

Conservation? Taft continued the Roosevelt program and to the Congress of 1910 recommended nine bills for the withdrawal of valuable public lands and water-power sites. Ballinger, Taft's Secretary of the Interior, was originally a Roosevelt appointee. Taft, of course, was wrong in standing by Ballinger as long as he did, but that should be put down to stubbornness and not venality.

It must be apparent, on the basis of this comparison, that there was not a ha'penny's worth of difference between the two men; if there was ever a fidus Achates it was Taft. No man so often expressed how much he owed to a patron or sought

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) emulate him so closely in his official acts as did Taft Roose-elt. The many efforts Taft made to arrive at a friendly nderstanding with Roosevelt, after the Hunter's return, are ainful things to read about in Butt's letters. The biographer f Roosevelt will have to labor mightily to dispel this suspicion: iat it was not Taft's recreancy or Taft's ungratefulness that aused the break, but Roosevelt's own overweening ambition, is thirst for public office, and his hungering again for the lime-ght. Roosevelt was prepared, when he returned to the United tates in 1910, to leave no deed of violence undone to become 'resident—even to knifing his friend and to stealing the leader-hip of the insurgent movement away from La Follette. Roose-elt overestimated the popular strength of progressivism and his olly gave us Woodrow Wilson. Taft might have been reelected n 1912 had Roosevelt been content with his honors, and what ould then have been the course of American and world history uring the years 1913-17 is a nice subject for speculation.

LOUIS M. HACKER

Satirist—and Victim

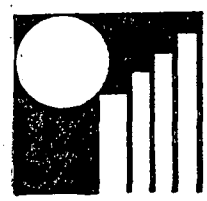
24 Hours. By Louis Bromfield. Frederick A. Stokes Company. $2.50.

MR. BROMFIELD'S new novel is an incoherent critique of American manners and values in the guise of a best-seller. Like "The Strange Case of Miss Annie Spragg" it moves, panoramically, over a vast deal of scenery in a very short space of time. Mr. Bromfield has, however, stretched this technique beyond its limits, and the result is shoddy and even slovenly. The occasional excellences of the book are incidental to its effect as a whole and inherent in the nature of Mr. Bromfield's talent. His direct assaults on American manners are authentic and mature. He has perceived that a culture which cannot separate glitter from gold is destined to an eternal adolescence. He perceives finely enough that the only use American men and women can make of leisure is to make dangerous busybodies of themselves or to hamper and destroy each other. His feeling for American society as a brawl below and a wallow on top, whatever such direct assault may imply in the nature of contradiction, is vivid enough to ring true. But in cutting his cloth to fit the more glittering magazines, and possibly Hollywood, he has left it full of holes.

Under the circumstances one is privileged to inquire whether Mr. Bromfield's contempt for the American scheme of success does not strike rather dangerously near home. He has been to Hollywood, he has lectured to women's clubs, he has condescended to be well paid. The usual range of American ambition is not to strive for the stars but to pull down a star quickly and sell it at a good fat price and then to turn one's attention to electric-light bulbs, which look much the same anyway. Possibly, however, Mr. Bromfield really knows what he wants. Then he has gone a long way toward getting it in "24 Hours." Unfortunately the road back is longer still.

There are still the loose remainders of good writing in "24 Hours." There are almost enough to make a good novel out of. The plot begins with a group at dinner in the wealthy and aristocratic home of Hector Champion in New York, and from the beginning in this rather decadent brawl it winds a sluggish course, pulling up the weeds of New York under-life, meandering unintelligibly into fairer pastures, and winding back again to a point twenty-four hours after the opening. In most respects it is merely an example of what a good writer can do to first-rate material when he is in a hurry to get through with it. Mr. Bromfield took two years for this production. He must have been very busy in between times.

EUGENE LÖHRKE



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Books in Brief

Journal of Things New and Old. By Arnold Bennet Doubleday, Doran and Company. $2.

The dust cover takes elaborate pains to assure us that the mantle of Pepys has fallen on any modern man it lies o the shoulders of Arnold Bennett. It would be difficult to fin a canon of comparison or lineage that would justify th announcement. Bennett's private affairs are apparently devoi of subtlety or drama; his image of his times is dull and insens tive; and his style lacks every property—urbanity, wit, shrewd ness, obliquity—that enlivened the immortal Diary's slightes comment. In his Parisian and Florentine journals of earlie years Bennett recorded his observations with a bland detach ment and a keen eye. Neither asset survives in the presen notebooks, the detachment having declined into an amiable bore dom and the eye being now glazed by fatigue and sanctimony The volume remains at best a clue to Bennett's disintegratio as an artist. Swamped by the diversions and personalities o countless dinner tables and first nights, drained of all creativ energy by the slavery of reviewing books for second-rate Lon don newspapers, his mind has long since lost the sympathie and perceptions that made the author of "The Old Wives Tale" a white hope of the twentieth-century novel. Towar the lamentations of his critics Bennett shows considerable petu lance, but meanwhile, having sold himself to the publicans, h lives on the fat of the world. Italian holidays, French cafe and wines, banquets for current heroes, and private theatrical allow small margin for journalism or for "starting a new novel." This diary, far from winning Bennett the Pepysian laurels, remains a sad and dispiriting testimony of the evils of a luxurious celebrity and the inevitable creative atrophy it fosters.

A Man and His Dog. By Thomas Mann. Translated from the German by Herman George Scheffauer. Alfred A. Knopf. $2.

This delightful trifle, a Tanagra figurine from the same hand which hewed the titanic "Magic Mountain," was originally published in 1918, when its simple, idyllic humor must have offered a strange contrast to the prevalent mood of a bleeding and dismembered Germany. The hero of the sketch is a short-haired setter named Bashan, of dubious ancestry but authentic charm. Of Bashan, his likes and dislikes, his fidelities and tantrums, we learn much; and of his famous master we catch a new, informal, and entertaining glimpse. Mann makes none of the usual sentimental attempts at "understanding" animal psychology. Merely, with a sly and sympathetic humor, he records Bashan's behavior, offering no very profound guesses as to its motivation. To dog lovers this little book will make a strong appeal; to those interested in the personality of Thomas Mann it will be no less attractive. Though utterly unpretentious, it nevertheless contains some very delicate writing, particularly in those passages describing the countryside neighboring the author's villa on the banks of the Isar.

Five Generations: Life and Letters of an American Family, 1750-1900. By Margaret Armstrong. Harper and Brothers. $5.

This is a delightful book in which, largely in extracts from letters, we have mirrored in singularly vivid and convincing fashion the daily life and interests of five generations of a family which was connected by marriage with many prominent figures in New York society. The collection of letters from which the extracts are drawn must be almost unique in America, dealing as they do almost wholly, for a century and a half, with

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mily rather than political affairs. The author, for she is ore than editor, has done her work with tact and skill. The rrative flows easily and escapes the two besetting dangers of ich books—pedantry and romanticism. The episodes and re-ctions to life are interesting, and as we follow them in succeed-g generations, the old French saying that "the more it changes, ie more it remains the same" seems truer than ever when ap-ied to the human nature of these men and women separated / a century and a half. The gossip of the letters is more than erely entertaining, and the book has genuine historical value.

ascal. By Jacques Chevalier. Translated from the French by Lilian A. Clare. Longmans, Green and Company. $5.

M. Chevalier's lectures on Pascal, now put into book form nd translated, were delivered at the University of Grenoble n years ago. They may hardly be said to constitute a biogra-hy, except in the philosophical sense, for the external facts of ie life of Pascal are barely touched upon. In reality M. Chevalier's work is an interpretation of Pascal from the Cath-lic point of view—in other words, a more or less official pology. In order to square Pascal to the policy of the modern hurch a considerable amount of explaining away is required—f his Jansenism, for instance, and of the "Provinciales." This M. Chevalier does with an ingenuity not unworthy of a defense f the Jesuits. A good deal of Pascal is left to discuss, of ourse, even after the embarrassments have been removed; but lthough M. Chevalier writes learnedly and not without wisdom is book suffers from an almost ubiquitous plea for the cause of he church. Thus it soon forfeits the sympathy of the dis-nterested general reader.

Chinese Art. By William Cohn. Albert and Charles Boni. $4.

The sixth volume of The Great Periods in Art series, vhich includes surveys of the art of Greece, Dutch painting of he seventeenth century, Mayan and Mexican art, French art n the nineteenth century, English art in the eighteenth century, nd the Italian Renaissance. Dr. Cohn contributes a brief but vell-written and comprehensive survey of the subject. The llustrations are generally well reproduced, but there are several vhich need more space than is given them. The special cir-umstances of their selection make them ill chosen from one oint of view and well chosen from another. The reproductions re chiefly from objects in German collections. These happen to e not among the best. However, since the books on Chinese rt available in English reproduce objects from American, English, and Japanese collections, Dr. Cohn's assemblage makes vailable an important new body of material.

Encyclopedia of the Social Sciences. Edited by Edwin R. A. Seligman and Alvin Johnson. Volume II. The Mac-millan Company. $7.50.

The general scope and character of this monumental work were described in *The Nation* of February 5, 1930. The second volume covers the topics from Alliance to Brigandage. Among the subjects receiving extensive detailed treatment are arbitra-tion, art, aviation, and banking—a random list suggesting once more the broad conception of social science that the editors have in mind. Professor Boas's forty-page article on anthropology is reminiscent of the scholarly treatises that used to appear as articles in the old "Britannica."

The Greek City. By Gustave Glotz. Alfred A. Knopf. $6.

One of the heavier volumes in a series too much inclined to pursue scholarship for scholarship's sake rather than for the sake of information. Professor Glotz treats his reader like a savant and argues out every piece of evidence. The outcome is not so much an essay on the Greek city as a critique on the materials available for writing an essay on the Greek city.

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Drama

"Siegfried"

THERE are felicities in the dialogue of "Siegfried" whic its production by the Civic Repertory Theater does nc illuminate. Nevertheless, the integrity of the play itsel dominates Miss Le Gallienne's stage. It is basically an ironi comedy of international manners. It is, superficially, the firs play I have seen in which the device of the amnesia victim ha been used with artistic dignity.

Philip Carr has gracefully translated these felicities b Jean Giraudoux. Only once or twice does their French autho fail to support them himself in climactic scenes too mechanicall insistent. As a whole, the play contains the best writing th new season has offered, writing so good that one is tempted t ignore all its attendant deficiencies.

The production's major faults come, as they rarely dc from a too rigorous regard for the lines themselves. Every nov and then one feels a consciousness in reading which hurts th emotional progress of Siegfried's journey from the position of meteoric leader in 1921 Germany to the simple status of ar unknown Frenchman found memoryless on a battlefield sever years before. Miss Le Gallienne's own performance as th former mistress who leads him back to his old individuality seems least affected by the play's weightier considerations o international amity. There is Gallic lightness in her metho which makes the Siegfried of Jacob Ben-Ami, admittedly mor somberly written, too ponderous and monotonous for the play's pace. Egon Brecher completely realizes a delightful high moment in the speech symbolizing the last stand of lyrica Germany against the prose of post-war reconstruction. The minor characters, apparently because they are miscast, make a niggardly contribution to the illusion of the performance Several should be severely told that make-up is not a thing in which you dip your face.

Mr. Frederick Lonsdale's "Canaries Sometimes Sing" (Fulton Theater) presents many of the virtues and most of the faults of modern English light comedy. It makes conspicuous what should be only minor appointments in its department of the theater. The milieu of well-bred, wealthy people, the frequent gay turning of a speech, these are the foundations. Occasionally the souffle has a real egg in it, but, as in the present instance, one need not be Brillat-Savarin to observe the omission. As to the virtues, Mr. Lonsdale has fashioned several airy little scenes which, once one is reconciled to the stream's general sluggishness, leap and sparkle gaily as they run their brief course. Miss Yvonne Arnaud reasserts her authority as a comedienne and charges almost every line she speaks with engaging effervescence. The others give small added compensation to the playgoer, largely because they are obliged to work so hard with the little extravagances of character which distinguish their roles from stock figures.

Little else was added to the season during the week. Paul Muni, a skilful actor, appeared in an amorphous affair called "This One Man" (Morosco Theater). Broadway again confessed its dependence on institutional names in a musical show called "Blackbirds" (Royale Theater). It has one artist of stature in its cast, Ethel Waters. Its other ingredients are in the familiar tradition, several of them very pleasantly so. There is dancing which more expert white technicians can never hope to equal for the simple reason that they can never have the happy abandon which prompts the Negro.

But the week did give us "Siegfried."

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Once In a Lifetime—Music Box—45 St., W. of B'way.
Solid South—Lyceum—45 St., E. of B'way.
The Greeks Had a Word For It—Harris—42 St., W. of B'way.
The Green Pastures—Mansfield—47 St., W. of B'way.
Three's a Crowd—Salwyn—W. 42 St.
Torch Song—Plymouth—45 St., W. of B'way.
Twelfth Night—Maxine Elliott—39 St. E. of B'way.

First Nights

The Noble Experiment—Waldorf—50 St., E. of Seventh Ave.
Roar China—Martin Beck—45 St., W. of Eighth Ave.
The Man in Possession—Booth—45 St., W. of B'way.
Sita—Biltmore—47 St., W. of B'way.
Puppet Show—Belmont—W. 48 St.
The Last Enemy—Shubert—W. 44 St.

Films

Costello Case—Eighth St. Playhouse—52 W. Eighth St.
Journey's End, beginning Saturday, Nov. 1; Animal Crackers, beginning Wednesday, Nov. 5; The Plaza—58 St., E. of Madison Ave.
News Reel—Embassy—B'way and 46 St.
Outward Bound—Warner—B'way and 52 St.
Raffles, beginning Saturday, Nov. 1; Journey's End, beginning Wednesday, Nov. 5; Little Carnegie—57 St., E. of Seventh Ave.
Zwei Herzen Im 3-4 Takt—55 St. Playhouse—E. of Seventh Ave.

Discussion and Lectures

Adler Lectures, Columbia University Institute of Arts and Sciences.
"Is Censorship Necessary?"—Community Church, 34 St. and Park Ave. Friday evening, Nov. 7. See advertisement.
"Is Religion Necessary?" Debate: Clarence Darrow vs. Dr. Nathan Krass, Saturday evening, Nov. 15—Mecca Temple—55 St., E. of Seventh Ave.
Rand School of Social Science Lectures—See Advertisement.
"The Conquest of Happiness" by S. A. Seligson—Auditorium—150 W. 85 St. Sunday Afternoon Nov. 9. See advertisement.

Concerts

Don Cossack Russian Male Chorus—Carnegie—Tuesday evening, Nov. 4 at 8:30.
Philharmonic Symphony—Carnegie—Erich Kleiber, conductor; Evenings: Thursday, Oct. 30, Nov. 6, at 8:45. Afternoons: Friday, Oct. 31; Nov. 7, at 2:30; Sunday, Nov. 9, at 3:00. Sunday Afternoon, Nov. 2, Metropolitan, at 3:00. Young People's Concert, Saturday, Nov. 1, at 11. Children's Concert, Saturday, Nov. 8, at 11.
Heifetz—Carnegie—Monday, Nov. 10, at 8:45 P.M.
Isadora Duncan Dancers—Carnegie—Sunday, Nov. 2, at 3:00.
Jose Iturbi—Carnegie—Friday Evening, Oct. 31, at 8:30.

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The Polish Terror in Galicia

By MAURITZ A. HALLGREN

DICTATOR Pilsudski has apparently fallen back upon terrorism as the only practical means of making good Poles of the Ukrainians in Eastern Galicia. Since 1918 Poland has tried in various ways to tame these rebels, first by force of arms, then by a hypocritical show of political kindness, and more recently by education of the character generally applied to minorities throughout Europe. Warsaw has been rewarded for its efforts by seeing the long-smoldering resentment of the Ukrainians, or Ruthenians, against Poland's theft of their independence break out into actual rebellion against Polish domination. The insurrection, according to dispatches from Lemberg published in the Polish, German, and English press, has taken the form of incendiarism, Ruthenian peasants putting the torch to the property of the wealthy Polish landowners who for decades have been the governing lords of the district. Pilsudski has now apparently decided to resort once more to the old imperialistic weapon of military invasion to "pacify" the inhabitants; but it is still to be seen whether education by terrorism and the knout will be any more successful in enhancing the love of the Ruthenians for Polish rule.

Eastern Galicia is a part of that same Galicia (Austrian Poland) which harbored Pilsudski after two insurrections that he led against Russian despotism in 1905 had failed. It was from Galicia that he continued to direct active resistance against the Czar and it was from the workers and peasants of Galicia that he drew his chief support when, with the elimination of the St. Petersburg autocracy and the defeat of the German and Austro-Hungarian empires, his golden opportunity arrived and he was able to proclaim himself on November 12, 1918, head of the new Polish state. He made a mistake, however, in believing that he had all of Galicia behind him. The way to a unified Polish state was blocked not only by the bitter opposition of the landed nobility (the very landed gentry whose property his troops are now pretending to defend in Eastern Galicia), but also by the fervent desire of the Ruthenian peasants and workers for national independence. Taking the Allied promises and the Wilsonian principle of self-determination at their face value, the Ruthenians on October 18, 1918, had established the West Ukrainian Republic, with Lemberg as its capital. When the Republic of Poland was proclaimed at Warsaw twenty-four days later, the Ruthenians refused to yield their newly won independence to satisfy the ambitious Pilsudski, whereupon he sought to punish them by occupying Lemberg on November 22. The Ruthenian government fled to Vienna, and Eastern Galicia was brought into the new Polish state.

This military conquest of a people who had sought only to determine for themselves what sort of government they should have was ratified by the Allies, although a vague promise of ultimate independence was still held out to the Ruthenians. The Peace Conference assigned Eastern Galicia to Poland for twenty-five years, with a provision for local autonomy. At the end of this period the League of Nations was to decide its future.

Meanwhile efforts were made to unite the West Ukrainian Republic with the Soviet Republic of the Ukraine and this led to a clash of arms between Soviet Russia and Poland in Eastern Galicia. The fighting continued throughout 1919. Four years later the opportunity came for the Allies to rectify and confirm the northern, southern, and southeastern boundaries of Poland. The Ambassadors' Conference, sitting in Paris on March 14, 1923, took the opportunity to confirm in perpetuity the sovereignty of Poland over Eastern Galicia, and in doing so to repeal the promise of independence, the twenty-five-year mandate, and the provision for local autonomy.

The stolen province has proved somewhat indigestible. The history of its people in the past decade has paralleled the history of most European minorities, but with one notable departure. Other minorities have had mother-countries to plead their cause at Geneva; the Ukrainians, or Ruthenians, of Eastern Galicia have had no one to speak for them before the League of Nations. According to American correspondents, their petitions and complaints "invariably find their way to the scrap-basket, as there is no one at the League secretariat who cares anything about these peoples." It is not surprising, then, that they have chosen more direct means of expressing their grievances. The epidemic of barn burning and crop destroying that has swept over Eastern Galicia in the past six months was not the beginning of the rebellion. Months before this incendiarism was reported, numerous dispatches from Warsaw, Lemberg, and elsewhere hinted at the spread of insurrection. The Polish Minister of Education was quoted as saying that "treasonable agitation has been discovered in countless Ukrainian schools of Eastern Galicia." He ordered all such schools closed. The Ukrainian Boy Scouts have been disbanded for similar reasons, and a number of lawyers, judges, and teachers have been arrested for their connection with the organization. Whole villages have been accused of treason against the Polish state.

Under Austria-Hungary the province of Galicia was granted a special representative with the rank of government minister to sit with the Vienna Cabinet, and it was permitted to have a legislative assembly and governor of its own choosing. It was in fact, if not in name, an independent state within the framework of the Dual Monarchy, though the benefits of self-government went entirely to the Polish landowners and not to the Polish and Ruthenian peasants. Under the domination of Warsaw, Eastern Galician aspirations have been suppressed in the interest of Polish patriotism; the province has not been granted even the small measure of autonomy promised by the Allies; and now it has had settled upon it a sword-brandishing, knout-wielding soldiery. There have been brief allusions to this state of affairs in the British and French press for several weeks; the German and Russian newspapers have described it in more detail. Perhaps the most accurate account reaching

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the United States thus far has been sent here by John Elliott, Berlin correspondent of the New York *Herald Tribune*, who took the trouble to go down into Galicia to investigate the reports of military terrorism and barbarism. Elliott writes:

> In the Ukrainian villages of the district priests and peasants are being flogged with the knout (a lash consisting of a tapering bundle of leather thongs twisted with wire and hardened so as to mangle the body) and women shamefully mishandled, the thatched cottages of the peasants unroofed, schools closed, cooperative stores looted, libraries demolished, and ruinous requisitions for foodstuffs levied on the villages by the Polish cavalry and police sent into the countryside on a so-called "mission of pacification."
>
> The object of the military is to put down a terroristic campaign begun by a secret Ukrainian organization which is instigating high-school youths to burn crops and barns of Polish landowners. Unfortunately, in the discharge of their duty of restoring order the Polish troops are punishing indiscriminately the innocent with the guilty and so kindling a spirit of sedition and revenge among the Ukrainians living in East Galicia, who look back with regret upon the easy-going pre-war Austrian rule.
>
> This correspondent has just returned from a trip to Lemberg, the capital of the afflicted provinces, where he listened to details of cruelties and barbarism of the Polish troops that would be incredible if they did not come from sources whose trustworthiness is beyond question. . . . In the campaign of repression at least 200,000 Ukrainians have been arrested and thrown into jail, including sixteen of the twenty-six representatives of the Ukrainian National Party in the last Sejm.

It is a question whether the military reprisals may not lead to more serious difficulties. One of the independent European newspapers that have reported upon the Eastern Galician situation at considerable length, the *Frankfurter Zeitung*, declares: "European history has shown that only the most disastrous results can come from such a policy . . . of forceful suppression of one nationality by another."

Contributors to This Issue

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